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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Human rights and cultural diversity

Report of the Secretary-General

Summary

The present report is submitted pursuant to paragraph 23 of General Assembly resolution 70/156, concerning which the Secretary-General invited States, United Nations agencies and civil society organizations to submit written information on efforts undertaken in this regard, and provides a summary of the information received. The submissions from Governments focus on measures to promote cultural diversity, especially through education, as well as measures to safeguard intangible cultural heritage.

* A/72/150.

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I. Introduction

1. As of 13 July 2017, 11 replies from States were received to the invitation of the Secretary-General to provide information pursuant to paragraph 23 of General Assembly resolution 70/156, and a reply was received from the United Nations Educational, Scientific and Cultural Organization (UNESCO). The replies are summarized in sections II and III below.

II. Summary of information received from States

Algeria

[Original: French]
[1 June 2017]

2. The protection of human rights and cultural diversity has been at the core of Algeria's cultural policy since the country's independence. Arts and culture, which have featured in its successive constitutions, are regulated by specific laws that protect cultural heritage, including traditional works, as well as by copyright and related rights. In addition to developing a cultural and arts infrastructure, Algeria has established entities to safeguard and promote cultural diversity, such as the Musée des arts et traditions populaires. It is also establishing a regional centre to protect intangible cultural heritage in Africa. The National Fund for Culture financially supports cultural enterprises and the production, distribution and dissemination of cultural products and services.

3. Algeria has taken a range of actions to preserve its national heritage and promote cultural diversity, such as the creation of an inventory of its intangible cultural heritage, the mapping of different cultural expressions and the recording of popular traditional music, as well as raising awareness and providing support for the dissemination of information and scientific research in this area. It has also strengthened cultural exchanges among its various provinces and has facilitated and supported cultural events, such as festivals and local and national celebrations that feature the country's cultural diversity, as well as large international events, notably the sixth international colloquium on sufism, culture and music.

4. Algeria strives to create conditions conducive to the preservation and development of its artistic heritage, such as by providing training to ensure the transmission and preservation of traditional skills. Education has also been a means to raise awareness of the positive values of pluralism and diversity in society. School curricula and the training of teachers have been adjusted for this purpose and culturally appropriate pedagogical methods, incorporating traditional approaches, have been adopted.

Azerbaijan

[Original: English]
[10 April 2017]

5. Azerbaijan has heightened its capacity to further cultural diversity. Its policy is influenced by its multiculturalism owing to its centuries-long history as a melting pot of religions, cultures and civilisations and as its unique position as a bridge between East and West. Intercultural and interreligious dialogue is one of the Government's highest priorities, and safeguarding the cultural heritage of national minorities is a key priority as well. The Government funds radio shows in Kurdish, Lezgin, Russian and Georgian, as well as more than 15 newspapers and magazines and 5 local TV/radio channels in minority languages. Financial aid is regularly

granted to religious communities, such as the Caucasian Muslims Board, the Russian Orthodox Church of Baku and the Baku European Jews. In 2014, an international multiculturalism centre was set up to evaluate the suitability of multicultural models in other countries with the domestic multicultural framework. The Government designated 2016 as the Year of Multiculturalism in Azerbaijan and launched a plan of action to protect and broadcast ideas of multiculturalism at the national and international levels.

6. Azerbaijan has hosted international initiatives and events promoting intercultural and interreligious dialogue, such as the 2008 Council of Europe Conference of Ministers Responsible for Culture, which adopted the Baku Declaration for the Promotion of Intercultural Dialogue and led to the establishment of the Baku process aimed at developing a dialogue among civilizations, as well as several meetings of the World Forum on Intercultural Dialogue, most recently in May 2017.

7. Azerbaijan actively collaborates with the United Nations Alliance of Civilizations and is a member of its Group of Friends. The seventh global forum of the Alliance, on the theme "Living together in inclusive societies: a challenge and a goal", was held in Baku from 25 to 27 April 2016. The forum brought together 4,300 individuals from 147 countries at 40 round tables and panels, exchanging a wide range of views on inclusive living in today's increasingly diverse societies.

Bosnia and Herzegovina

[Original: English]
[11 July 2017]

8. Bosnia and Herzegovina is a multinational, multireligious and multicultural country that fosters multicultural dialogue in order to promote diversity and tolerance. In addition to the Law on the Prevention of all Forms of Discrimination, several laws have been passed on the protection of the rights of national minorities, Roma issues, freedom of religion and gender equality. Acts of destruction or damage to cultural and historical heritage are also criminalized under the country's criminal code. Several State bodies support cultural diversity, such as the Ombudsman Institution, the councils for national minorities, the Interreligious Council and the Missing Persons Institute. The Interreligious Council has published a glossary of religious terms to promote better knowledge of cultural diversity. Radio and television channels frequently air thematic content for minority groups and advocate the peaceful coexistence of members of different religions.

9. One key effort to protect the country's cultural heritage and renew the value of cohabitation is the restoration of cultural and religious objects that were damaged during the 1992-1995 conflict. Festivals and events of international importance promoting cultural diversity, including literary meetings, have also been held, such as an international art colony, held in Počitelj in June 2016, and an international art exhibition on the theme "Through history to the world heritage of UNESCO", held in August 2016, which brought together a large number of globally renowned artists.

Colombia

[Original: Spanish]
[19 May 2017]

10. The 1991 constitution recognizes and protects ethnic and cultural diversity. The Government has promoted cultural diversity in a number of ways, such as through national coordination and incentives plans, the promotion and diffusion of audiovisual and cinema products, support for cultural entrepreneurship, the

strengthening of the performing arts infrastructure and the formalization of the cultural sector, notably through a law on public performances.

11. A key element of Colombia's cultural diversity policy is the promotion of the rich diversity of the country's native languages, including 65 indigenous languages, 2 creole languages spoken by Afro-descendent communities and the Romani language spoken by the Rom people. Actions taken include the commemoration of the national day of native languages on 21 February; sociolinguistic self-diagnosis, which assesses the vitality of the country's native languages; and the celebration of "word circles" or cultural spaces through which indigenous leaders and elders identify measures to revitalize and document indigenous and creole languages. Signalling the post-conflict context of the country, the Ministry of Culture translated the Final Agreement for the Termination of Conflict and the Construction of a Stable and Durable Peace between the Government of the Republic of Colombia and the Fuerzas Armadas Revolucionarias de Colombia — Ejercito del Pueblo into indigenous and creole languages.

12. The celebration of the International Decade for People of African Descent (2015-2024) is an important opportunity to promote the visibility of communities of African descent in Colombia. The month of May has been officially designated for the celebration of the Afro-Colombian heritage of Black, Raizal and Palenquera communities, in commemoration of the abolition of slavery. The Ministry of Culture, in partnership with local organizations, has established the Chair of the above-mentioned Decade in Cartagena to promote a dialogue between academic research and local knowledge in the Caribbean region. The role of women in African cultural heritage is being promoted in an initiative on the theme "Women's genealogies in Afro-Culture", which was inaugurated in 2016.

13. Among policies and actions to promote cultural diversity and the recognition of the multi-ethnic character of the country, Colombia emphasizes the recognition and strengthening of indigenous cultures, in cooperation with indigenous communities. Strategic actions taken include the creation of additional space for the participation and representation of indigenous peoples; the restoration or construction of ancestral places known as "malokas" and other spaces for cultural revitalization; the strengthening of dialogue between the national cultural heritage system and indigenous organizational structures; and other outreach activities.

14. The Ministry of Culture leads the implementation of policy on cultural heritage, including intangible cultural heritage. Measures include outreach and training and measures to ensure the conservation, protection, restoration and sustainability of cultural heritage, such as the policy on the knowledge, safeguarding and promotion of traditional food and cuisines adopted in 2012.

Mexico

[Original: Spanish]
[12 May 2017]

15. In Mexico, the National Commission for the Development of Indigenous Peoples is mandated to design and carry out strategies for the preservation, dissemination, research and promotion of the country's indigenous cultural heritage, and also advocates for an intercultural approach to public policies at all levels.

16. Actions taken by the Commission include the organization of cultural events involving indigenous communities, the organization of related studies and the dissemination of publications reflecting the cultures, values and customs of indigenous communities. For example, under its indigenous rights programme, the Commission supported 480 community initiatives in 2016 targeted at the

revitalization, recovery or dissemination of their cultural heritage and benefiting 8,516 indigenous people. The Commission also supports indigenous media professionals in the production and realization of intercultural communication projects in various formats.

17. Among several events supported by the Commission in recent years, the International Day of the World's Indigenous Peoples was celebrated on 9 August 2016 at the Mazahua Ceremonial Center in the state of Mexico. The event was chaired by the President of Mexico and was attended by representatives of 68 indigenous peoples of Mexico, demonstrating the Government's commitment to ensure that indigenous peoples can exercise their rights in a context of social inclusion.

Morocco

[Original: French]
[23 May 2017]

18. The 2011 constitution of Morocco marked a profound shift in the country's attitude towards cultural rights, in particular towards cultural and linguistic diversity, by affirming the country's unity as forged by the convergence of its Arab-Islamist, Amazigh and Saharan-Hassanic components and as nourished and enriched by its African, Andalusian, Hebraic and Mediterranean influences.

19. The constitution recognizes the Amazigh language as an official language of the country and a common heritage of all Moroccans. It also provides for the protection and the development of the Arabic language and the promotion of its use. Moreover, it calls for the preservation of the Hassani dialect as an integral component of Moroccan cultural unity. To implement these constitutional provisions, bills on the creation of the National Council of Languages and Moroccan Culture and on the establishment of the Amazigh language as an official language have been prepared.

20. In collaboration with the Royal Institute on the Amazigh Culture, established in 2001, the Ministry of National Education has taken steps to strengthen the teaching of the Amazigh language, including through the training of language teachers and inspectors. This commitment has been further reinforced in the 2015-2030 strategic vision for the reform of education, which seeks to ensure the progressive mainstreaming of the teaching of the Amazigh language at all levels of education as well as the allocation of the necessary resources.

21. Legislative measures have been taken to promote cultural expressions in the media. Specifications for national media accord importance to linguistic and cultural diversity and to the richness of the components of Moroccan identity. As such, programmes are broadcast in the official languages as well as in the Hassani and Moroccan dialects, and reflect such values as openness, tolerance and modernity. Cultural diversity is also promoted through reformed school curricula that foster human rights. Programmes and learning materials have been developed to educate citizens to understand their rights and duties and contribute to the promotion of democracy and tolerance and the peaceful coexistence of peoples. School manuals were also reviewed in 2016 in order to remove any content and images inconsistent with the principle of tolerance.

Norway

[Original: English]
[16 May 2017]

22. Norway's cultural policy recognizes the importance of cultural diversity and strongly emphasizes facilitating and promoting a plurality of voices and

expressions. With regard to Sami and other national minorities, the Parliament has recognized the need to protect their cultural heritage in line with the implementation of the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage.

23. Activities in the arts and culture sector benefit from funding of several projects, such as a project that aims to enhance and strengthen employment opportunities for young artists and cultural workers with ethnic minority backgrounds. Funding has been provided to support Sami media, institutions and cultural events, such as the Riddu Riddu indigenous festival. Similarly, funding is generally allocated to the safeguarding, promotion and dissemination of knowledge about minority culture, such as the Kven language and culture, the Forest Finn Culture, and Judaism and Jewish culture.

24. As part of its 2017 presidency of the Nordic Council of Ministers, Norway launched a Nordic project for the inclusion of immigrants and minority background populations in the arts and culture sectors, whether as audiences, artists, creators, cultural workers or disseminators of culture. Professional and amateur arts and cultural institutions take part in the project, which runs until 2019.

25. Promoting culture forms an essential part of Norwegian development policy. Support is provided to cultural practitioners and professionals and organizations and groups working for the development of a free and diverse cultural sector and for larger access to culture. Norway's official development assistance funding focuses on capacity-building and education, strengthening of partners in civil society and international cooperation. Recent examples include assistance provided to the Arab Fund for Arts and Culture, the development of new music education curricula in Malawi, Zimbabwe and Mozambique, and core support provided to SafeMUSE, an initiative in Scandinavia to provide safe haven for musicians under threat of persecution.

Oman

[Original: Arabic]
[31 May 2017]

26. Cultural diversity is a component of the system of human rights in Oman, where Government policy in this area focuses on three objectives: supporting artists whose artistic production and marketing is promoted by the State; supporting writers whose literary work is broadly disseminated and showcased at international book fairs; and supporting artisans who are given the moral and material backing needed to practice their craft. As such, the Government has adopted legislation that allows skilled artists easy access to support service and enables their participation in international cultural forums so that they can further hone their talents.

27. Cultural diversity is an intrinsic part of the school curriculum and workshops on cultural diversity are routinely organized. A national capacity is being developed with a view to aiding the preparation of project proposals submitted by the International Fund for Cultural Diversity, as well as events organized by the Fund. Omani cultural days are organized around the world, at which international actors are encouraged to engage with Omani culture and participants present exhibitions on traditional crafts, industries, documents and manuscripts. For example, an Omani cultural day was held in 2015 in Brazil and the cultural history of the Sultanate was actively discussed.

Portugal

[Original: English]
[13 July 2017]

28. Citizenship education plays a key role in the promotion and protection of cultural diversity in Portugal. The "Education for citizens" strategy seeks to contribute to the development of responsible, independent and united citizens who know and exercise their rights and duties through dialogue and respect for others, a democratic and pluralistic outlook, critical thinking and a creative attitude.

29. Portugal is one of the pilot countries of the Council of Europe's development of a new reference framework of the fundamental competences required for respectful democratic citizens in culturally diverse societies. Other reference documents to support citizenship education at all levels have been produced as well.

30. In the framework of the Strategic Plan for Migration (2015-2020), outstanding school-led initiatives to promote cultural diversity and the effective inclusion of children and young people with different cultural backgrounds have been awarded with the International School Seal. Similarly, the Intercultural Education Schools Network aims to promote the welcome, integration and educational success of all children and young people and to develop respect for diversity and create positive relations among children and young people of all backgrounds. Portuguese is offered as a second-language school subject to ensure that migrant children and other non-native speakers of Portuguese have equal opportunities to achieve educational success and are not subjected to discrimination.

31. Extraordinary educational measures have been taken to support the reception in Portugal of children and young people who have refugee status or are asylum seekers. The integration of Roma children into the school system is also the subject of a specific national Roma communities integration strategy, which aims to increase school attendance in the Roma community in order to ensure that all Roma children successfully complete their compulsory education.

32. Portugal has developed a kit for the collection of intangible heritage, a pedagogical tool designed to promote knowledge of intangible heritage and help young people to value it. For the 2016-2017 school year, the National Museum of Ethnology created an educational programme focused on awareness and education for multiculturalism. The social responsibility project of the General Inspection of Cultural Activities promotes the artistic creativity of people from vulnerable environments, such as the 2015 project on the theme "Make a difference and release an idea", which involved all prisons in the country.

Russian Federation

[Original: Russian]
[17 May 2017]

33. With 193 nationalities who speak 277 languages and dialects, the Russian Federation considers culture to be a national priority and recognizes it as an important resource of social and economic development. State policy on cultural rights is derived from a document on the foundation of State culture issued in 2014. The Government emphasizes access to literature and other printed materials for all its citizens, and has developed a universally accessible national electronic library to promote interest in Russian literary works. In addition, the year 2015 was designated as the Year of Literature, with more than 100 events organized in the Russian Federation and abroad. Steps have been taken, including the adoption of a federal law in 2014, to improve access to cultural heritage by persons with

disabilities and other mobility-impaired persons. Cultural heritage museums, movie theatres and libraries have been adapted for persons with disabilities.

34. Various provisions in federal legislation protect traditional cultures in the Russian Federation, while State policy in the area of cultural development includes the protection of traditional folklore and the cultural identities of different nationalities, small nomads and indigenous peoples. A number of measures have been taken to stimulate and support indigenous peoples, such as the creation of databases, registries and catalogues that allow the preservation of traditional knowledge. Centres for the promotion of public arts have been created throughout the country to support folklore and cultural creativity, in particular for minority nomadic communities.

35. Festivals, national cultural events, contests, concerts and folklore events devoted to reducing inter-ethnic barriers and raising awareness about various cultures and nationalities have been organized in the Russian Federation. An international youth camp on the theme "Dialogue" brought together young people from different cultural backgrounds and regions with a view to developing intercultural dialogue skills. An exhibition on the theme "Multinational Russia", organized in the framework of National Unity Day, was dedicated to the preservation and promotion of cultural diversity and the cultural heritage of the peoples of the Russian Federation. Moreover, the project on the theme "Pages of Russia" gives free access to the electronic MyBook library, which contains works of children's literature reflecting the country's ethnic and cultural diversity. International festivals of ethnic music and events aimed at the preservation and development of traditional culture, including handicrafts, have also been organized in several republics of the Russian Federation.

Serbia

[Original: English]
[2 June 2017]

36. The social and political system of Serbia follows the principle of protection of national minorities. Cultural policy in Serbia is based on open access to culture, respect for national traditions, diversity of cultural expression and affirmation and development of freedom of opinion, conscience and religion. Funds are earmarked annually to co-finance projects that disseminate information and publications in the languages of national minorities and that translate representative literary works from Serbian into foreign languages.

37. State policy on cultural diversity is reflected, among other ways, in an action plan for implementation of the strategy for prevention of and protection against discrimination, established in 2013. Moreover, based on the Law on Cultural Property, the safeguarding and use of cultural property are assured regardless of the ownership and religious or national characteristics of the property. The Law ensures the equal participation of all groups in public cultural life and provides for the creation of the National Council for Culture. The institutional and legal framework also seeks to strengthen inter-church and interreligious dialogue.

38. As to protection of national minorities, in addition to constitutional provisions, the Law on the Protection of Rights and Freedoms of National Minorities and the Law on the National Councils of National Minorities further strengthen the legislative framework supporting national minorities. For example, in areas where they constitute a significant portion of the population, the members of national minorities are entitled to receive public services in their language. In 2016, Serbia adopted an action plan for enabling national minorities to exercise the right to further improve their quality of life.

39. Cultural diversity is also promoted in and through education. Several laws govern the entitlement of members of national minorities to receive education in their mother language. Programmes relating to the preservation of cultural identity of national minorities have been integrated in school curricula. Moreover, civic education aims to instil in children and young people a spirit of respect for human rights and to foster tolerance and understanding among different ethnic, national and religious groups.

40. A number of other projects have been funded by the Government to promote and protect cultural heritage, including intangible cultural heritage. Initiatives have also been taken to restore cultural monuments that were destroyed and to protect those that are at risk of damage or attack.

III. Summary of information received from the United Nations Educational, Scientific and Cultural Organization

[Original: English]
[13 July 2017]

41. The programmes of UNESCO accord importance to the promotion of cultural diversity and the advancement of cultural rights. It has focused its action on safeguarding and transmitting cultural assets, practices and values, including those of minorities, and has advocated for their integration into international and national legislation, policies and programmes. It has promoted a positive discourse anchored in human rights and common values enshrined in shared heritage that respects the diversity of identities and that values pluralism, as exemplified by the Unite for Heritage campaign launched in response to attacks against cultural heritage in Iraq and the Syrian Arab Republic.

42. As the lead agency for the International Decade for the Rapprochement of Cultures (2013-2022), UNESCO has produced tools to help address critical global challenges through intercultural and interreligious dialogue and to promote understanding and cooperation for peace. The UNESCO Conceptual and Operational Framework for Intercultural Competencies emphasizes that the high costs of intercultural incompetence, including the risk of war, make it essential to invest in activities to clarify, teach, promote and enact intercultural competencies. The UNESCO manual on intercultural competencies based on human rights proposes a simple dialogue-based exercise that focuses on conversation and reflexivity; it is currently being piloted by its field offices to develop adaptation to local contexts.

43. Freedom of expression, media development and media diversity are promoted by UNESCO to enable freedom of cultural expression and access to cultural diversity for all, and it aims to empower people with critical media and information literacy competencies to facilitate intercultural dialogue. In collaboration with more than 20 universities, UNESCO published two related yearbooks in 2016, on the themes "Media and information literacy: reinforcing human rights, countering radicalization and extremism" and "Opportunities for media and information literacy in the Middle East and North Africa", while open online courses in media and information literacy and intercultural dialogue were developed and launched in collaboration with the Media and Information Literacy and Intercultural Dialogue University Network. In collaboration with the King Abdullah International Centre for Interreligious and Intercultural Dialogue, UNESCO was instrumental in the adaptation of the media and information literacy curriculum as a specialized training resource for interreligious dialogue.

44. Recognizing "Priority Africa" as one of its global priorities, UNESCO has launched initiatives that aim to foster inclusive, peaceful and resilient societies. In November 2016, the project "Pedagogical supports on the basis of African cultural heritage in post-conflict situations" produced 20,000 school notebooks distributed in 57 schools in 8 regions in Mali. At the eighteenth summit of the regional coordination mechanism of United Nations agencies in Africa, held in Dakar in March 2017, UNESCO put forward the theme "Culture as a priority for Africa" and highlighted the critical role and contribution of culture in implementing the 2030 Agenda for Sustainable Development and Agenda 2063 of the African Union.

45. Established by UNESCO in 2004, the International Coalition of Inclusive and Sustainable Cities (formerly known as the International Coalition of Cities against Racism) is a global platform of more than 500 cities whose mayors have committed themselves to advocating for the defence of human rights, inclusion and diversity in urban spaces, with a focus on the fight against racism and discrimination. Concerted efforts of member cities aim to strengthen advocacy for global solidarity and promote inclusive urban development that is free from all forms of discrimination by sharing good practices, knowledge and expertise and by advancing joint action through the development of participatory city-level policies and initiatives. In April 2016, the first meeting of Coalition's Global Steering Committee, composed of mayors representing seven regional and national coalitions, adopted the Bologna Declaration, in which it emphasized that learning about rights and how to put them into practice is the basis for social cohesion and peace in multicultural societies and for promoting the full and meaningful participation of populations. A similar initiative on the theme "Welcoming cities for refugees: promoting inclusion and protecting rights" was launched in 2016 to promote a shared understanding of the reception and integration of refugees and migrants.

IV. Conclusion

46. **The majority of the submissions received reflect legal and policy frameworks and interventions that promote multiculturalism and tolerance and that protect groups at particular risk and their cultural heritage. The critical role played by education is broadly recognized and many submissions provide information on specific initiatives in schools and media campaigns, including civic and human rights education focused on instilling tolerance and the value of diversity of cultures. This is consistent with the importance attributed to cultural diversity in the 2030 Agenda, in particular Sustainable Development Goal 4 on ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all.**

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The safety of journalists and the issue of impunity

Report of the Secretary-General

Summary

The present report, submitted in accordance with General Assembly resolution 70/162, focuses on the safety of women journalists. After describing the current situation of women journalists, the report provides an account of initiatives undertaken by relevant actors in this area. It then sets out some suggestions on how to strengthen the safety of women journalists through a gender-sensitive approach.

* A/72/150.

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I. Introduction

1. In its resolution 70/162, the General Assembly requested the Secretary-General, working in consultation with States and other relevant stakeholders, and in particular with the United Nations Educational, Scientific and Cultural Organization (UNESCO), to prepare a report, to be presented to the Assembly at its seventy-second session and to the Human Rights Council at its thirty-seventh session, on the safety of journalists and the issue of impunity. The present report was prepared in accordance with that request.

2. In resolution 70/162, the General Assembly acknowledged the specific risks faced by women journalists in the exercise of their work and underlined the importance of taking a gender-sensitive approach when considering measures to address the safety of journalists. Previous reports of the Secretary-General have addressed the issue of impunity in depth and these remain relevant; the present report therefore aims to elaborate on that acknowledgement and to examine the issue of the safety of women journalists.[1] The report first describes the current situation pertaining to women journalists. It then sets out the applicable international law and provides an account of initiatives undertaken by relevant actors in this area. Finally, the report suggests some ways for strengthening the safety of women journalists through a gender-sensitive approach.

3. In the preparation of the report, the Office of the United Nations High Commissioner for Human Rights (OHCHR), on behalf of the Secretary-General, sought contributions from Member States; international and regional organizations; national human rights institutions; and non-governmental organizations.[2] In addition to information received from these actors, the report draws on a range of public sources, including United Nations human rights mechanisms and work by scholars, practitioners and civil society organizations.

II. Current situation

4. In the past, women have constituted a small percentage of journalists. This may be changing, albeit slowly. According to the Global Media Monitoring Project, between 1995 and 2005 there was a small increase in women's visibility in the news and in 2015, women's share of news-making roles in the traditional media (newspapers, radio, television) was 24 per cent of the total, a negligible change since 2005 when women were 23 per cent of news makers.[3] The underrepresentation

[1] For the purposes of the present report, the term "journalist" includes journalists and other media workers. Journalism is defined in document CCPR/C/GC/34, para. 44, as "a function shared by a wide range of actors, including professional full-time reporters and analysts, as well as bloggers and others who engage in forms of self-publication in print, on the Internet or elsewhere." See also A/HRC/20/17, paras. 3-5, A/HRC/20/22 and Corr.1, para. 26, A/HRC/24/23, para. 9, A/HRC/27/35, para. 9, A/69/268, para. 4, and A/HRC/16/44 and Corr.1, para. 47.

[2] As at 7 July 2017, contributions had been received from Argentina, Austria, Azerbaijan, Colombia, Cuba, El Salvador, Greece, Ireland, Italy, Mexico, Morocco, the Netherlands, Norway, Portugal, Slovenia and Uzbekistan; UNESCO; Americans for Democracy and Human Rights in Bahrain, Article 19, Committee to Protect Journalists, European Centre for Press and Media Freedom, Fojo Media Institute, International Centre for Justice and Human Rights, International Federation of Journalists and National Federation of Brazilian Journalists; and from a number of members of the International Freedom of Expression Exchange: Bahrain Centre for Human Rights, Bytes for All, Cambodian Centre for Human Rights, Freedom House, International Press Institute, Karisma Foundation, PEN International, Digital Rights Foundation and World Association of Newspapers and News Publishers.

[3] Global Media Monitoring Project report, 2015, "Who Makes the News" (Toronto, World Association for Christian Communication, November 2015), p. 1.

of women in newsrooms and in media decision-making and leadership has an important effect on the type of information that is conveyed as news, as well as in the portrayal of women in the media.[4] For example, one study on conflict and post-conflict countries found that only 13 per cent of media stories on themes related to peace and security included women as the subject, while women were central to the story in only 6 per cent of cases. The analysis also found that a woman was more than twice as likely as a man to be identified as the victim in a media story.[5]

5. At the same time, there has been an increase in violence, threats and harassment against women journalists.[6] Women journalists are subjected to the same wide range of human rights violations as are directed against men journalists (A/HRC/24/23, para. 2, and A/69/268, para. 3). However, they also experience workplace and employment related discrimination and gender-based violence, including threats of violence, abuse and harassment. Both are symptomatic of the gender-based inequality, discrimination and violence experienced by women globally across many aspects of their lives.[7]

6. In most countries, deeply rooted societal norms and harmful gender stereotypes present an enormous challenge to the ability of women to begin, and pursue, a career in journalism on equal terms with men.[8] Discrimination and inequality constitute barriers to women being able to gain the necessary qualifications to enter the media profession.[9] Perceptions persist in many contexts that journalism is not an "appropriate" profession for women, resulting in sometimes severe social pressure not to enter the profession, or to leave it.[10] The freedom of movement of women journalists can be restricted based on discriminatory laws, overt threats against their safety and cultural norms and stereotypes regarding women's conduct.[11] Discrimination and inequality can also seriously impede access for women journalists to an effective remedy for violations of their rights.[12]

7. Women journalists are generally paid less than men and they are less likely to have the same contractual protection; in addition there are fewer women working in senior and management positions.[13] They are also less likely to be asked to work on high-profile issues and are more likely to work on so-called women's issues, with

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[4] Ibid. See also *Preventing Conflict, Transforming Justice, Securing the Peace: a Global Study on the Implementation of United Nations Security Council resolution 1325* (UN-Women, 2015), chap. 10. Available from http://wps.unwomen.org/pdf/en/GlobalStudy_EN_Web.pdf.

[5] *Preventing Conflict, Transforming Justice, Securing the Peace*, p. 294.

[6] UNESCO, *World Trends in Freedom of Expression and Media Development* (Paris, 2014), p. 92.

[7] Contributions of Article 19, European Centre for Press and Media Freedom, National Federation of Brazilian Journalists and Fojo Media Institute.

[8] Contributions of El Salvador, Americans for Democracy and Human Rights in Bahrain, Article 19, Bahrain Centre for Human Rights, Bytes for All, Cambodian Centre for Human Rights, Digital Rights Foundation and Karisma Foundation. Some States noted in their contributions that women journalists were not discriminated against and had the same access to the profession and the same rights as men journalists; see contributions of Cuba, Slovenia and Uzbekistan.

[9] Contributions of Americans for Democracy and Human Rights in Bahrain and PEN International.

[10] Contribution of Article 19.

[11] Contributions of Mexico and UNESCO.

[12] Contribution of Cambodian Centre for Human Rights.

[13] Contributions of Greece, Mexico, Slovenia, Americans for Democracy and Human Rights in Bahrain, European Centre for Press and Media Freedom, National Federation of Brazilian Journalists, Bytes for All, Cambodian Centre for Human Rights, Freedom House, International Federation of Journalists and World Association of Newspapers and News Publishers. See also the contribution of El Salvador, and OSCE, Representative on Freedom of the Media, *New Challenges to Freedom of Expression: Countering Online Abuse of Female Journalists* (Vienna, 2016), p. 9.

the result that the work of women journalists is less visible and is taken less seriously.[14]

8. The majority of journalists who have been killed as a result of their work are men, although the number of women journalists being killed is on the rise.[15] Women journalists, however, disproportionately and routinely face gender-based violence in the workplace and in the field, online and offline. The International Women's Media Foundation and International News Safety Institute study, *Violence and Harassment against Women in the News Media: a Global Picture*[16] found in 2014 that nearly two-thirds of women journalist respondents had experienced some form of intimidation, threats or abuse in relation to their work.

9. A major form of the violence and harassment experienced by women journalists, both in the workplace and when reporting from the field, is sexual.[17] Women journalists are also more likely than men journalists to face reputational smearing campaigns, often of a sexual nature, and threats of attack against family members.[18]

10. The online environment can allow women to get around restrictions that are a feature of print media and television, as well as avoid gender biases and the multiple and intersecting forms of discrimination that prevent and limit women's participation in the media.[19] The online environment also, however, constitutes a new platform for attacks against women.[20] Online abuse is often anonymous and extremely invasive.[21] Moreover, as with women and girls generally, women journalists are disproportionally and increasingly subjected to online threats of violence, including sexual violence, trolling, doxing and being "swatted".[22] Women who cover topics such as politics, law, economics, sport, women's rights, gender

[14] Contributions of Mexico and Digital Rights Foundation.

[15] Contributions of UNESCO and Article 19. See also the report of the Director-General of UNESCO on the safety of journalists and the danger of impunity (Paris, 2016). Available from http://www.unesco.org/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/IPDC/ipdc_council_30_4_en_02.pdf. See also the contribution of Colombia.

[16] International Women's Media Foundation and International News Safety Institute, *Violence and Harassment against Women in the News Media: a Global Picture* (Washington, D.C., and London, 2014).

[17] Contributions of Austria, Colombia, Norway, Sweden, UNESCO, Americans for Democracy and Human Rights in Bahrain, Article 19, Digital Rights Foundation, the Fojo Media Institute and Freedom House. See also *Violence and Harassment against Women in the News Media*, p. 19, and Committee to Protect Journalists, "The silencing crime: sexual violence and journalists" (New York, 2011).

[18] Contributions of Colombia, Article 19, Committee to Protect Journalists, European Centre for Press and Media Freedom, Fojo Media Institute, Digital Rights Foundation, Freedom House and PEN International.

[19] Contribution of Cambodian Centre for Human Rights.

[20] Contribution of UNESCO.

[21] Contribution of International Press Institute.

[22] Contributions of Austria, Americans for Democracy and Human Rights in Bahrain, Article 19, Bytes for All, the Committee to Protect Journalists, Digital Rights Foundation, Fojo Media Institute, Freedom House, International Press Institute and Karisma Foundation. See also Pew Research Center "Online harassment" (October, 2014), available from www.pewinternet.org/2014/10/22/online-harassment/, and "The web we want: the dark side of Guardian comments", *The Guardian*, 12 April 2016, available from www.theguardian.com/technology/2016/apr/12/the-dark-side-of-guardian-comments. Doxing is the practice of revealing personal information online, such as home addresses and addresses of children's schools. Swatting is where emergency call systems are tricked into deploying law enforcement officers (such as a SWAT team) to an unsuspecting victim's home under false pretences.

and feminism are particularly likely to become targets of online violence.[23] While men journalists are also subject to abuse online, abuse directed against women journalists tends to be more severe.[24]

11. The attacks experienced by women journalists can result in physical, psychological and emotional harm and loss of income or employment.[25] As with cases of violence against women generally, most women journalists do not report or make public the violence they experience (A/HRC/23/49, paras. 47 and 70, for example). Reasons for this include fear of being publicly shamed and suffering professional backlash or ostracism, including the potential loss of future assignments, and lack of trust in judicial processes.[26] Women journalists have also reported that many media organizations are not equipped to deal with gender-based violence, especially online, and that online violence is not taken seriously.[27]

12. While there are countless women journalists who choose to continue reporting in the face of violence, threats or harassment, others resort to self-censorship, shutting down their digital accounts, and/or leaving the profession.[28] Attacks can also have a chilling effect on other women journalists.[29] The effect is an absence of women's voices and perspectives in the media on a wide range of issues, with serious implications for a free, pluralistic media.[30] It exacerbates the gender digital divide (A/HRC/35/9, para. 17). Moreover, it can have the effect of delegitimizing and reducing the impact of women's voices, especially in the areas in relation to which women journalists are particularly targeted.[31] At the broader societal level, this violence and consequent exclusion further entrenches discrimination and inequality, affects the right of everyone to freedom of expression and opinion, including the right to information, and undermines democracy.

III. Applicable international law

13. The applicable international legal framework for the protection of journalists has been described in previous reports of the Secretary-General on the safety of journalists (A/69/268, paras. 10-12, and A/70/290, para. 17). The safety of women journalists also brings into play the well-established legal obligations of States under international human rights law to respect, protect and fulfil women's rights, including the rights to non-discrimination and equality set out in articles 1 and 2 of the Universal Declaration of Human Rights and article 3 of the International Covenant on Civil and Political Rights and of the International Covenant on Economic, Social and Cultural Rights.

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[23] Contributions of El Salvador, Greece, UNESCO, Americans for Democracy and Human Rights in Bahrain, Karisma Foundation and PEN International. See also UNESCO "World Trends in Freedom of Expression" (2014), p. 94.

[24] Contribution of International Press Institute.

[25] Ibid. See also contribution of Norway, and *Violence and Harassment against Women in the News Media*.

[26] Contributions of Colombia, Americans for Democracy and Human Rights in Bahrain, Article 19, Bahrain Centre for Human Rights, National Federation of Brazilian Journalists and Freedom House. See also Committee to Protect Journalists, "The silencing crime", pp. 6-8, and *Violence and Harassment against Women in the News Media*, p. 21.

[27] Contribution of Digital Rights Foundation. See also *Violence and Harassment against Women in the News Media*, p. 26.

[28] Contributions of Norway, Article 19, Digital Rights Foundation, Fojo Media Institute, Freedom House, International Press Institute, Karisma Foundation and PEN International.

[29] Contributions of Article 19, Fojo Media Institute and Karisma Foundation.

[30] OSCE, *New Challenges to Freedom of Expression*, p. 9.

[31] Contribution of Karisma Foundation.

14. The Convention on the Elimination of All Forms of Discrimination against Women, for example in its articles 2, 5 (a), 10 and 11, also firmly establishes these rights in law and provides a range of measures for States to eliminate discrimination against women in all areas of public and private life as well as harmful gender stereotypes.[32] The Declaration on the Elimination of Violence against Women, adopted by the General Assembly in its resolution 48/104, provides international standards for the protection of women from violence and describes measures for the elimination of all forms of violence against women in the public or private sphere.[33] In addition, the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, as well as relevant international labour standards and professional standards, impose a responsibility on business enterprises to respect human rights, including the rights of their employees. This includes the responsibility of media corporations to respect the rights of women journalists and ensure their safety, including in the workplace.

15. Regional instruments also establish obligations for States parties in relation to the rights of women to non-discrimination and equality and the elimination of violence against women.[34] As affirmed in Human Rights Council resolutions 20/8, 26/13, 32/13 and 34/7 and General Assembly resolution 71/199, the same rights that people have offline must also be protected online.

16. In addition to the protection provided to journalists generally,[35] international humanitarian law provides for a number of specific protections that apply in times of armed conflict to women, including protection from sexual violence.[36]

17. The 2030 Agenda for Sustainable Development reinforces the existing obligations of all States under international law to ensure the safety of women journalists. While the Sustainable Development Goals are integrated and interconnected, Goal 5 on gender equality and the empowerment of all women and girls, and Goal 16 on peace, justice and strong institutions, are particularly relevant to the issue of the safety of women journalists, and this underscores the importance of gender-disaggregated data.[37] In conjunction with Goal 5, a number of important targets with corresponding indicators relate to ending all forms of discrimination and eliminating all forms of violence against all women and girls in the public and private spheres, gender equality and equal access to justice for all (A/HRC/32/42 and Corr.1, paras. 38 and 39). Under Goal 16 and its target 16.10 on ensuring public access to information and protecting fundamental freedoms, indicator 16.10.1 requires quantification of the number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists.

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[32] See also Committee on the Elimination of Discrimination against Women, general recommendations No. 19 (1992), No. 28 (2010), No. 33 (2015) and No. 35 (2017).

[33] See also the Beijing Platform for Action, adopted with the Beijing Declaration at the fourth World Conference on Women.

[34] These include the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Charter of Fundamental Rights of the European Union, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, and the Convention on Preventing and Combating Violence against Women and Domestic Violence of the Council of Europe.

[35] See Protocol additional to the Geneva Conventions of 1949, and relating to the protection of victims of international armed conflicts, arts. 51 and 79; and International Committee of the Red Cross customary international humanitarian law database, rules 6 and 34.

[36] See First and Second Geneva Conventions, art. 12, Third Geneva Convention, art. 14, Fourth Geneva Convention, art. 27, and first additional Protocol, arts. 75 and 76 (1).

[37] See, in particular, Sustainable Development Goal 5, targets 5.1, 5.2 and 5.C, and Goal 16, targets 16.1, 16.3, 16.10 and 16.B.

18. These Goals, targets and indicators will be an important means by which certain information on the safety of women journalists can be systematically collected and analysed, complementing existing human rights monitoring and analysis and helping to ensure that the effectiveness of approaches to addressing the safety of women journalists can be measured over time.

IV. Initiatives relating to the safety of women journalists

19. Since the previous report of the Secretary-General on the safety of journalists, States, the United Nations system and civil society have continued to try to strengthen journalistic safety through a range of activities and initiatives. These efforts have been aimed at increasing the attention paid to the safety of women journalists through resolutions, recommendations, national laws, policies and programmes and protection and accountability mechanisms, together with awareness-raising and training activities.

A. States

Legislation and policy

20. In their contributions to the present report, States referred to constitutional and legislative provisions to protect the equality of women and men, the right to freedom of expression and opinion, the protection of journalists and the prevention of violence against women.[38] Morocco noted that its law No. 77-03 (2002) regarding audiovisual communication had been amended to prohibit the use of gender stereotypes.

21. States also provided information about measures they had put in place to address the safety of journalists and prevent violence against women,[39] as well as policy and legal measures that were currently being developed for the safety of journalists, including women journalists.[40]

Protection

22. Argentina noted in its contribution that, in September 2016, the Ministry of Security had approved the general protocol for action for the protection of journalistic activity, which provided for protection of journalists and other media professionals who investigate organized crime or crimes of federal interest, including violence against women. If a journalist requests protection, a commission established to assess the risk relating to journalistic activity determines the level of risk and vulnerability on the basis of a matrix, which includes gender, and case-specific protection measures are put in place. The protocol has not yet entered into force, but the commission has undertaken risk assessments in urgent cases and exceptional measures have been put in place in two cases, including that of a woman journalist.

23. Colombia stated in its contribution that 27 women journalists were currently under the protection of a national protection unit, which was required under the 2012 protocol on gender and the rights of women to take a gender-sensitive approach. A committee established to assess risk and recommend measures for

[38] Contributions of Argentina, Azerbaijan, Colombia, Cuba, El Salvador, Italy, Mexico, Morocco, Norway, Portugal and Uzbekistan.

[39] Contributions of Azerbaijan, Cuba, El Salvador, Ireland, Italy, Mexico, Morocco, Norway, Portugal and Uzbekistan.

[40] Contributions of Colombia, El Salvador, Greece and Morocco.

women is responsible for determining, in accordance with a gender-specific approach, measures for assistance, which extend to the nuclear family. In 2016, the unit had developed, with the involvement of civil society organizations, a protocol for journalists and social communicators on the different stages of risk assessment. It contains measures relating to women journalists, including the appointment of a gender specialist and a specific system for the referral of cases of women journalists.

24. In its contribution, Mexico stated that in 2012 it had established a mechanism for the protection of human rights defenders and journalists, which included a programme that incorporated a gender-focused approach to prevention and protection and sought to recognize the specific risks that women journalists faced in the course of their work. All personnel have been trained in the gender perspective and there are protocols and procedures to ensure that they respond with gender sensitivity in respect of complaints and requests for assistance submitted by women journalists. The risk assessment unit uses a risk evaluation methodology that includes gender as a risk factor and aims to ensure that the specific circumstances of women journalists are considered. Once the level of risk is determined, a gender-sensitive protection plan is proposed.

Accountability

25. Mexico also noted that the Office of the Special Prosecutor for Crimes against Freedom of Expression in the Office of the Attorney General monitored crimes against journalists and collected information that was disaggregated, inter alia, on the basis of gender. One of the victim assistance policies in protocols established by the Office of the Special Prosecutor provided that officials of federal public ministries must not discriminate against any person on the basis of gender. A database on journalists, in which the information was disaggregated on the basis of various factors, including gender, was maintained under the mechanism for the protection of human rights defenders and journalists.

26. In the context of measures to address violations of women's rights, Morocco recalled in its contribution that an arbitration commission had been established to deal with cases between women journalists and their employers.

Advocacy and awareness-raising initiatives

27. According to the contribution of Colombia, gender had become a prominent issue in the commemoration of World Press Freedom Day. The Minister of the Interior had undertaken a series of activities aimed at addressing gender stereotypes, promoting gender equality and raising awareness about violence against women. Studies had examined tolerance of gender-based violence, which had served to identify gender stereotypes and the role of gender in violence against women and to develop strategies for addressing violence against women.

28. The contribution of El Salvador noted that workshops had been held for journalists and other communicators on avoiding the use of symbolic violence and discrimination in all forms of communication.

29. In its contribution, Greece explained that initiatives had been undertaken to address gender equality in the media, including the establishment by the General Secretariat for Gender Equality of an observatory on gender equality, based on the Beijing Platform for Action. Greece has also developed a new national action plan on gender equality, which includes priorities on discrimination and gender-based violence and gender mainstreaming in journalism and mass media.

30. According to the contribution of Ireland, the new national women's strategy (2017-2020) is being finalized, which will continue the previous strategy's implementation of the Beijing Platform for Action. The Broadcasting Authority of Ireland has a particular focus on equality and diversity in programmes on Irish television and radio in its 2017-2019 strategy.

31. Morocco stated in its contribution that the 2015 annual report on efforts to promote freedom of the press provides for specific measures on gender. Reports on the activities of institutions under the Ministry of Communication, especially the press and media, include statistics on women journalists. Public television stations have adopted charters and editorial policies aimed at promoting respect for women's rights and a guide on gender stereotyping in the media has been developed.

32. Sweden noted in its contribution that, with government support, in 2016 the University of Gothenburg had mapped incidents of violence and threats made against journalists, information which it would use in a 2017 study focused on gender to enable better understanding of this kind of violence. The Swedish Media Council provides children and youth with information about gender stereotypes.

33. In its contribution, Uzbekistan explained that the Uzbekistan training centre for journalists had conducted training on gender sensitivity for journalists from all regions of the country with the assistance of Switzerland, and a manual on gender in the Uzbekistan media had been produced within the framework of a project of the UNESCO office in Uzbekistan. Journalists have been trained in the protection of human rights, including women's rights, by the Ministry of Justice. A series of initiatives have been organized by the Creative Union of Journalists of Uzbekistan on the rights and responsibilities of journalists, including women journalists.

B. United Nations system

Security Council and General Assembly

34. In its resolution 2222 (2015), the Security Council acknowledged the specific risks faced by women journalists, media professionals and associated personnel in the conduct of their work and underlined the importance of considering the gender dimension of measures to address their safety in situations of armed conflict. In addition, since the previous report of the Secretary-General on the safety of journalists, the Council and the General Assembly have addressed the issue of the safety of journalists in relation to a number of country situations.[41] The Secretary-General has also addressed gender-specific threats and violence against women journalists in his reports to the Council on women and peace and security (S/2016/822 and S/2015/716; see also S/2013/525 and S/2014/693), protection of civilians (S/2017/414 and S/2016/447) and specific country situations.[42]

[41] See Security Council resolutions on Afghanistan (2344 (2017) and 2274 (2016)), Burundi (2303 (2016) and 2248 (2015)), the Democratic Republic of the Congo (2348 (2017) and 2277 (2016)), the Sudan and South Sudan (2327 (2016), 2304 (2016), 2290 (2016), 2252 (2015) and 2241 (2015)) and the Syrian Arab Republic (2258 (2015)); see also General Assembly resolutions on Afghanistan (A/70/77), Iran (Islamic Republic of) (A/70/173), Myanmar (A/70/233) and the Syrian Arab Republic (A/70/234).

[42] Afghanistan (A/70/601-S/2015/942 and A/70/775-S/2016/218), Burundi (S/2017/165), the Democratic Republic of the Congo (S/2016/1130), South Sudan (S/2017/224, S/2016/950, S/2016/138 and S/2015/655) and Somalia (S/2017/408, S/2016/763, S/2016/341 and S/2015/702).

United Nations departments and agencies, funds and programmes

United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity

35. The United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity highlights the need for a gender-sensitive approach in relation to the safety of journalists. The implementation strategy for the Plan of Action includes a number of initiatives to enhance the safety of women journalists and provides for gender mainstreaming throughout the implementation of the Plan of Action.

Measurement and assessment

36. OHCHR is developing the methodology and data collection methods for Sustainable Development Goals indicator 16.10.1 as the custodian of the indicator, working in collaboration with UNESCO, the International Labour Organization and other partners at the international, regional and national levels.

37. In the context of the reports of the Director General on the safety of journalists and the danger of impunity, UNESCO collects data that is disaggregated by gender on the killings of journalists and information on accountability with respect to each case. In November 2016, the Director General was invited to strengthen data disaggregation in order to highlight the specific risks faced by women journalists in the exercise of their work.[43]

38. In its contribution, UNESCO noted that its safety indicators for journalists included gender-specific safety indicators, such as whether media organizations provide appropriate equipment to women journalists who are on dangerous assignments. UNESCO has also developed gender-sensitive indicators for the media to assist media organizations to gauge gender sensitivity in media operations and content.

Supporting capacity-building

39. OHCHR continued to work with national actors to address human rights issues relating to the safety of journalists, including women journalists. For example, in Guatemala it provided technical assistance for the creation of a protection mechanism, a special unit had been created in the Office of the Attorney-General and, in April 2017, a similar unit was created in Quetzaltenango, Guatemala. With the Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights, OHCHR has carried out workshops for prosecutors in Guatemala to strengthen their knowledge of international and regional standards on the protection and safety of journalists. OHCHR has continued to support the mechanism for the protection of human rights defenders and journalists in Mexico, including by improving gender mainstreaming. During 2016, OHCHR conducted five training events for 65 journalists, including 36 women journalists from five regions of Tunisia, on press freedom and safety.

40. OHCHR also works at the national and international levels to advance women's rights, gender equality and non-discrimination, including with respect to combating harmful stereotypes and eliminating violence against women.[44] The OHCHR West Africa Regional Office has undertaken a project in Burkina Faso,

[43] UNESCO, decisions taken by the thirtieth session of the Council of the International Programme for the Development of Communication (17-18 November 2016).

[44] See A/HRC/27/73. See also report commissioned by OHCHR entitled "Gender stereotyping as a human rights violation" (October 2013), and OHCHR, "Eliminating judicial stereotyping: equal access to justice for women in gender-based violence cases" (June 2014).

with similar projects planned in the Niger and Senegal, to address, among other things, gender stereotypes in the media.

41. In several countries, OHCHR and UNESCO provided joint assistance to national authorities. For example, in Tunisia OHCHR and UNESCO provided support for the establishment, in March 2017, of a monitoring unit within the National Union of Tunisian Journalists to develop a credible national database on violations against journalists and indicators on the safety of journalists and, in cases of violations, to provide journalists with legal advice and assistance.

42. UNESCO explained in its contribution that it supported the training of journalists in physical and digital safety, with an emphasis on women journalists and young media professionals. In 2015, UNESCO supported two workshops in Islamabad for 30 women journalists, which resulted in the creation of a digital safety helpdesk for women journalists, hosted by Media Matters for Democracy. The 2017 edition of the *Safety Guide for Journalists: a Handbook for Reporters in High-risk Environments*, produced by Reporters Without Borders in collaboration with UNESCO, includes a specific focus on the safety of women journalists. The UNESCO model syllabus on the safety of journalists contains a module on gender and safe reporting.

43. UNESCO further noted that it had undertaken activities aimed at addressing the underlying causes of the challenges faced by women journalists and those relating to harmful gender stereotypes. For example, in May 2016 it supported the regional consultation in New Delhi on developing gender-sensitive guidelines for women in the media in South Asia.

Awareness-raising

44. The contribution of UNESCO outlined that, together with Austria, it supported the 2014 global survey of nearly 1,000 women journalists conducted by the International News Safety Institute and the International Women's Media Foundation's, *Violence and Harassment against Women in the News Media: a Global Picture*. Recent publications by UNESCO, such as *Building Digital Safety for Journalism: a Survey of Selected Issues* (2015), *Protecting Journalism Sources in the Digital Age* (2017) and *World Trends in Freedom of Expression and Media Development* (2014) include specific chapters on gender. Every year, UNESCO, in collaboration with the Global Alliance on Media and Gender, launches the Women Make News initiative to promote gender equality in media operations and balanced representation in news reporting.

Human Rights Council and its mechanisms

45. On 29 September 2016, the Human Rights Council adopted resolution 33/2 on the safety of journalists, in which it acknowledged and condemned unequivocally the specific attacks on women journalists in the exercise of their work, including sexual and gender-based discrimination and violence, intimidation and harassment, online and offline. From September 2015 to June 2017, the Council also addressed the issue of safety of journalists in the context of specific country situations.[45]

46. The Secretary-General and the High Commissioner for Human Rights have raised concerns in reports to the Human Rights Council about the safety of

[45] See Human Rights Council resolutions on Belarus (32/26), Burundi (33/24 and S-24/1), the Democratic Republic of the Congo (33/29 and 30/26), Eritrea (32/24), Libya (34/38 and 31/27), Myanmar (34/22 and 31/24), Sri Lanka (30/1), Somalia (33/17 and 30/20), South Sudan (34/25, S-26/1 and 31/20), the Sudan (33/26), the Syrian Arab Republic (34/26, 33/23, 32/25, 31/17 and 30/10) and Yemen (33/16 and 30/18).

journalists in various States.[46] In the report to the Council at its thirty-fifth session on ways to bridge the gender digital divide from a human rights perspective (A/HRC/35/9), the High Commissioner discussed the consequences of online violence against women journalists on the already existing digital gender divide and made recommendations to remedy the situation.

47. Violations of the rights of women journalists were documented by international commissions of inquiry and fact-finding missions mandated by the Human Rights Council.[47] For example, the 2016 report of the investigation by OHCHR on Libya reported that women journalists had been targeted on the basis of their gender and that they faced particularly intense intimidation and threats, not only in relation to the messages they broadcast, but for the very fact of being women who are vocal in the public sphere.[48]

48. The six latest communications reports of special procedures mandate holders, which concern the period between 1 March 2015 and 30 April 2017, list communications concerning allegations relating to the safety of journalists in a number of States.[49] Of these, journalists were specifically identified as women in allegations against Azerbaijan, China, India, Iran (Islamic Republic of), Malaysia, Montenegro, the Russian Federation and Turkey.

49. The need for a gender-sensitive approach when considering measures to address violence against journalists was noted by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression in 2012 (A/HRC/20/17, para. 52).[50] In a 2016 report to the Human Rights Council, the Special Rapporteur identified gender minorities and journalists, among others, as being disproportionately affected by State surveillance of online expression (A/HRC/32/38, para. 57). On 8 March 2017, the Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression and on violence against women, its causes and consequences, marked International Women's Day with a call for Governments, companies and civil society organizations to tackle online gender-based abuse and violence, while safeguarding freedom of expression. The Special Rapporteur on violence against women, its causes and consequences, has noted that while the use of information and communications technology has contributed to the empowerment of women and

[46] See reports of the Secretary-General on the situations in Cambodia (A/HRC/33/39) and the Islamic Republic of Iran (A/HRC/34/40 and A/HRC/31/26), and reports of OHCHR on the situations in Afghanistan (A/HRC/34/41 and A/HRC/31/46), Burundi (A/HRC/32/30), the Democratic Republic of the Congo (A/HRC/33/36 and A/HRC/30/32), Iraq (A/HRC/30/66), Libya (A/HRC/34/42), South Sudan (A/HRC/31/49), Sri Lanka (A/HRC/34/20 and A/HRC/30/61), Ukraine (A/HRC/31/CRP.7) and Yemen (A/HRC/33/38 and A/HRC/30/31).

[47] See report of the Commission on Human Rights in South Sudan (A/HRC/34/63), report of the independent investigation on Burundi (A/HRC/33/37), report of the commission of inquiry on human rights in Eritrea (A/HRC/32/CRP.1) and report of the OHCHR investigation on Sri Lanka (A/HRC/30/CRP.2). These reports detail violations committed against journalists generally.

[48] A/HRC/31/47, para. 50, and A/HRC/31/CRP.3, paras. 188 and 243. See also the report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/30/48 and Corr.1, para. 51) and A/HRC/31/CRP.1.

[49] Namely, Algeria, Angola, Armenia, Australia, Azerbaijan, Bangladesh, Belarus, Burundi, China, Egypt, Gambia, Germany, Iran (Islamic Republic of), Israel, Kenya, Kuwait, Jordan, Malaysia, Montenegro, Morocco, Myanmar, Nauru, Norway, Oman, Pakistan, Papua New Guinea, Russian Federation, Somalia, South Africa, South Sudan, Thailand, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, Ukraine, Uzbekistan, Yemen, Zambia and Zimbabwe. See communications reports by special procedures mandate holders contained in documents A/HRC/30/27, A/HRC/31/79, A/HRC/32/53, A/HRC/33/32 and Corr.1, A/HRC/34/75 and A/HRC/35/44.

[50] See also reports of the Special Rapporteur on the situation of human rights defenders, for example A/70/217, A/HRC/16/44 and Corr.1 and E/CN.4/2002/106.

girls, its use has also generated online violence. She has noted the need to examine this phenomenon and to make recommendations for States and non-State actors to fight online violence against women and girls while respecting freedom of expression and the prohibition of incitement to violence and hatred (A/HRC/32/42 and Corr.1, para. 70; see also E/2013/27-E/CN.6/2013/11, para. 34 (ww)).

50. The issue of the safety of journalists has continued to be raised in the context of the universal periodic review and specific recommendations have been made to States in approximately 65 per cent of State reviews at the twenty-second to twenty-fifth sessions, in 2015 and 2016. There were no recommendations that specifically concerned women journalists.

Human rights treaty bodies

51. During sessions between June 2015 and June 2017, the Human Rights Committee,[51] the Committee on Economic, Social and Cultural Rights,[52] the Committee on the Elimination of Racial Discrimination,[53] the Committee on the Rights of the Child,[54] the Committee against Torture[55] and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families[56] continued to raise concerns and make recommendations about the safety of journalists in their concluding observations.

52. In 2012, the Committee on the Elimination of Discrimination against Women expressed deep concern at the risks faced by women journalists in Mexico (see CEDAW/C/MEX/CO/7-8). In 2015, the Committee noted its concern at reports of restrictions in Azerbaijan on the work of women journalists and human rights defenders and urged the State party to ensure full respect for their rights (see CEDAW/C/AZE/CO/5). As have other treaty bodies, the Committee has raised concerns and made recommendations to States parties regarding gender stereotypes that discriminate against women.[57]

C. Regional organizations

53. Important initiatives for the safety of journalists have been undertaken by regional organizations, a number of which concern the safety of women journalists. In 2015, the African Commission on Human and People's Rights heard the case of *Uwimana Nkusi and Mukakibibi v. Rwanda*, which concerns the convictions of two women Rwandan journalists to four and three years of imprisonment, respectively,

[51] Burkina Faso (CCPR/C/BFA/CO/1), Colombia (CCPR/C/COL/CO/7), Ecuador (CCPR/C/ECU/CO/6), Ghana (CCPR/C/GHA/CO/1), Greece (CCPR/C/GRC/CO/2), Jamaica (CCPR/C/JAM/CO/4), Kazakhstan (CCPR/C/KAZ/CO/2), Morocco (CCPR/C/MAR/CO/6), Namibia (CCPR/C/NAM/CO/2), Poland (CCPR/C/POL/CO/7), Republic of Moldova (CCPR/C/MDA/CO/3), Rwanda (CCPR/C/RWA/CO/4), Suriname (CCPR/C/SUR/CO/3), the former Yugoslav Republic of Macedonia (CCPR/C/MKD/CO/3), Uzbekistan (CCPR/C/UZB/CO/4) and Venezuela (Bolivarian Republic of) (CCPR/C/VEN/CO/4).

[52] Honduras (E/C.12/HND/CO/2).

[53] Egypt (CERD/C/EGY/CO/17-22) and Pakistan (CERD/C/PAK/CO/21-23).

[54] Maldives (CRC/C/MDV/CO/4-5) and Peru (CRC/C/PER/CO/4-5).

[55] Jordan (CAT/C/JOR/CO/3) and Serbia (CAT/C/SRB/CO/2).

[56] Turkey (CMW/C/TUR/CO/1).

[57] Croatia (CEDAW/C/HRV/CO/4-5), Ecuador (CEDAW/C/ECU/CO/8-9), Iceland (CEDAW/C/ISL/C0/7-8), Lebanon (CEDAW/C/LBN/CO/4-5), Namibia (CEDAW/C/NAM/CO/4-5), Portugal (CEDAW/C/PRT/CO/8-9), Russian Federation (CEDAW/C/RUS/CO/8), Saint Vincent and the Grenadines (CEDAW/C/VCT/CO/4-8), Senegal (CEDAW/C/SEN/CO/3-7), Slovakia (CEDAW/C/SVK/CO/5-6), Slovenia (CEDAW/C/SVN/CO/5-6), Sweden (CEDAW/C/SWE/CO/8-9) and United Arab Emirates (CEDAW/C/ARE/CO/2-3).

on charges of criminal defamation and threatening national security. The decision from the Commission is pending.

54. The Inter-American Commission on Human Rights has made specific reference to violence against women journalists in its recent country reports on Honduras and Mexico.[58] The Special Rapporteur for Freedom of Expression of the Commission has expressed concern and made recommendations regarding the situation of women journalists. For example, in a 2013 report, the Special Rapporteur raised concerns about the safety of women journalists, including the lack of attention paid to the phenomenon and the obstacles to denouncing and understanding it.[59] The 2016 annual report of the Office of the Special Rapporteur contains a separate section on violence against women journalists.[60]

55. In 2013, the Council of Europe adopted recommendation CM/Rec(2013)1 on gender equality and the media, in which it stated that media freedom and gender equality were intrinsically interrelated. In April 2016, the Council of Europe adopted recommendation CM/Rec(2016)4 on the protection of journalism and the safety of journalists and other media actors, noting that female journalists and other female media actors faced specific gender-related dangers and that there was a need for urgent, resolute and systemic responses.

56. In February 2015, the Organization for Security and Cooperation in Europe (OSCE) Representative on Freedom of the Media issued a communiqué on the growing threat to female journalists online. In September 2015, the OSCE Representative held an expert meeting on the theme "New challenges to freedom of expression: countering online abuse of female journalists", following which she published a series of recommendations on how participating States, media organizations and intermediaries can assist to ensure that women journalists can work without fear.

D. Civil society organizations

57. Civil society organizations have developed wide-ranging initiatives for monitoring, analysing and reporting attacks, protection measures, awareness-raising and other measures to enhance the safety of women journalists and gender equality. Contributions also outlined policies and initiatives being implemented by organizations to address gender-based discrimination and workplace harassment.[61]

58. Monitoring and analysis is being carried out by a number of organizations, such as Article 19, which collects first-hand information on attacks against

[58] Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, publication OEA/Ser.L/V/II, Doc. 42/15 (31 December 2015), paras. 214 and 215, and *Situation of Human Rights in Mexico*, publication OEA/Ser.L/V/II, Doc. 44/15 (31 December 2015), paras. 428-430.

[59] Inter-American Commission on Human Rights, Office of the Special Rapporteur for Freedom of Expression, *Violence against Journalists and Media Workers: Inter-American Standards and National Practices on Prevention, Protection and Prosecution of Perpetrators*, publication OEA/Ser.L/V/II, CIDH/RELE/INF.12/13 (31 December 2013), paras. 250-269. See also annual report of the Office of the Special Rapporteur for Freedom of Expression, vol. II, publication OEA/Ser.L/V/II, Doc. 48/15 (31 December 2015), chap. V, para. 4 f, p. 378.

[60] Inter-American Commission on Human Rights, annual report of the Office of the Special Rapporteur for Freedom of Expression, vol. II, publication OEA/Ser.L/V/II, Doc. 22/17 (15 March 2017), chap. IV, sect. D. See also Office of the Special Rapporteur for Freedom of Expression, *Silenced Zones: Highly Dangerous Areas for the Exercise of Freedom of Expression*, publication OEA/Ser.L/V/II, CIDH/RELE/INF.16/17 (15 March 2017).

[61] Contributions of the Netherlands, Bytes for All and International Federation of Journalists.

journalists disaggregated in a number of ways, including sex and gender, and Bytes for All, which records violations against women in a separate database.[62]

59. Organizations have developed guidance to assist journalists, including women journalists, to prepare for and respond to security threats and violence.[63] In its contribution, the World Association of Newspapers and News Publishers noted that its "Women in news" programme provides resources to media organizations to respond to issues of gender-based harassment in the newsroom and advising women journalists of their rights. Organizations also provide safety and security training to journalists, some of which specifically address women journalists, particularly in relation to online violence.[64]

60. Secure online platforms have been established through which journalists can report violence against them and, in many instances, seek advice and assistance, including, as described in their contributions, the International Press Institute programme, OnTheLine, the emergency response team of the Committee to Protect Journalists, and the Digital Rights Foundation cyberharassment helpline. Other reporting mechanisms have been established specifically for women journalists, such as the Women's Reporting Point, established by the European Federation of Journalists and the European Centre for Press and Media Freedom.[65] According to the contribution of the National Federation of Brazilian Journalists, in Brazil complaints of violence are received by a commission on violence against women journalists, which provides legal and emotional support. Trollbusters provides an online means to report incidents of cyberharassment and provides women journalists and publishers with emotional support and reputation management during cybercrises (www.troll-busters.com).

61. Organizations have also assisted in the establishment of peer support groups and online networks for women journalists. In its contribution, Article 19 noted that, with national partners in Brazil and Mexico, it had established all-women spaces to provide safe environments for peer-to-peer learning, exchange of experience and solidarity. The Cambodian Centre for Human Rights has created a network of online women bloggers and provides legal, security and psychosocial support and assistance to at-risk women journalists.[66]

62. With regard to awareness-raising, the Karisma Foundation explained in its contribution that it had launched an online campaign, Alerta Machitroll, designed to counter the abusive behaviour of trolls and raise awareness of online threats and abuse. The contribution of the International Press Institute described its platform, Voices against Online Harassment, which features videos of women journalists and other experts discussing the impact of online harassment on their work and solutions to combat it. The Cambodian Centre for Human Rights maintains profiles of women journalists working in Cambodia to increase the visibility of women in Cambodian media.[67]

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[62] Contributions of Article 19 and Bytes for All. See also contributions of International Federation of Journalists, International Press Institute and PEN International, and UNESCO "World Trends in Freedom of Expression" (2014), p. 93.

[63] Contributions of Committee to Protect Journalists and Digital Rights Foundation. See also International Federation of Journalists, "Women working in war zones: guidelines for reporters, managers and editors" (2005).

[64] Contributions of Article 19, Bytes for All, Cambodian Centre for Human Rights, Digital Rights Foundation, Fojo Media Institute and Freedom House.

[65] Contributions of UNESCO and European Centre for Press and Media Freedom.

[66] Contribution of Cambodian Centre for Human Rights. See also contribution of Digital Rights Foundation.

[67] Contribution of Cambodian Centre for Human Rights.

63. In its contribution, the Fojo Media Institute noted that, in the context of initiatives organized by it and partners, two declarations were adopted in 2016 by civil society and media organizations. The Alexandria Declaration on Protection of Women Journalists urges Governments, media organizations and civil society to intensify their efforts in dealing with threats and online hate against journalists, with a particular focus on women journalists. The 2nd December Declaration was elaborated in defence of women journalists subjected to online hate and threats. It has been signed by a large number of newspapers and media practitioners from around the world.

V. Strengthening the safety of women journalists

64. The following section aims to outline measures that could be taken as part of a gender-sensitive approach to strengthening the safety of women journalists. The suggested measures are based on a review of State practice and relevant work of international, regional and national organizations and civil society.

65. A gender-sensitive approach requires understanding and taking into account the different experiences, views and needs of women and men and those who identify with other identities. In relation to women journalists, such an approach will ensure that any measures adopted will appropriately and effectively address their safety concerns and will be transformative. Measures should not, under any circumstances, lead to reinforcing gender stereotypes, widening already existing inequalities or further entrenching discrimination against women. They must also balance the need to enable women to enter and remain in the profession on equal terms with men while ensuring their greatest possible safety. The meaningful participation of women journalists and experts in the development of laws, policies and programmes, and their implementation, monitoring and evaluation, is essential.

66. In the first instance, the gendered nature of phenomena of violence against women journalists, the specific and differential impacts of the human rights violations experienced by women journalists and the power relations at the core of these violations must be addressed in the broader context of discrimination against women. This requires substantive shifts in the deeply entrenched social and cultural norms that reinforce harmful gender stereotypes and perpetuate women's subordination to men (A/HRC/35/29, para. 104).

Clear political will

67. Unequivocal and sustained political will and effort are needed to tackle gender-based discrimination, including violence, and inequality and gender-based stereotypes. Violence against women journalists should be condemned at the highest levels of Government.

Monitoring and analysis

68. There appears to be a broad understanding of the issue of violence against women journalists. However, there is an urgent need for systematic monitoring of violence against journalists and the collection and analysis of concrete data that are disaggregated by gender, among other factors, and that take into account the different experiences, views and needs of women, men and those who identify with other identities. The indicators being developed in the framework of the Sustainable Development Goals represent one avenue for information collection and analysis on non-discrimination, gender equality and violence against women, as well as some specific rights violations of journalists. Data and analysis arising in the context of

the Sustainable Development Goals, complemented by human rights monitoring and analysis, should be regularly published to contribute to awareness-raising.

Ensuring legal protection

69. Laws that discriminate against women should be repealed. Laws which may be gender-neutral but discriminate in practice against women should be modified to ensure consistency with international human rights standards, including with regard to educational opportunities, equal pay for work of equal value and employment conditions and opportunities.

70. Laws must protect against violence against women in the workplace and the protection of women journalists (online and offline) should be expressly provided for by law. Where laws on the right to freedom of speech and the protection of journalists generally exist, they should be reviewed to ensure they fully address the specificities of the experience of women journalists. This includes the particularities of attacks directed at women journalists in the digital space (A/HRC/35/9, paras. 57-62). The legal framework should also provide for effective, gender-sensitive remedies. Any violations must be investigated, prosecuted and punished.

71. Women journalists should be empowered to claim their rights, including through ensuring that the laws are well-known by all relevant actors and there are clear procedures and mechanisms in place for addressing any breaches of the law.

Policy development and implementation

72. All efforts should be made to ensure that the legal framework is fully implemented. Strong policies should be devised that aim to ensure non-discrimination and the prevention of violence against women journalists. Respect for and implementation of these laws and policies should be the responsibility of everyone concerned, including government officials and staff of media organizations.

Accountability

73. Ensuring accountability for attacks against women journalists, including in the online sphere, is a critical element of prevention, sends a clear message that attacks against women journalists will not be tolerated and provides an avenue for gender-sensitive reparations for the victim/survivor.

74. Strengthening the knowledge of law enforcement personnel, the judiciary and members of the media profession about gender-based discrimination, violence against women journalists and gender stereotypes is essential so as to address stigma and discrimination and ensure they can identify and appropriately respond to complaints. Law enforcement personnel and the judiciary should be trained in digital literacy and the particularities of online threats and harassment of women journalists.

75. Women journalists must be able to report attacks in a safe manner and they may need assistance and support to do so. Law enforcement personnel, the judiciary and civil society organizations should consider putting in place safe gender-sensitive procedures to encourage women to report attacks. This might include outreach and awareness-raising initiatives and training women staff to give them expertise in addressing sexual violence and trauma.

76. Where States have put in place special protection mechanisms for journalists, protection of women journalists will be enhanced through a gender analysis of the procedures and operations of the mechanism, including their effectiveness. Consideration should be given to devising, for example, gender-based risk

assessment methodologies and gender-specific security and protection measures for women and men.

Awareness-raising

77. Awareness-raising should be carried out within governments, law enforcement and security agencies, the judiciary, the media profession, social media corporations, educational institutions and the general public about gender-based discrimination and violence against women journalists, the critical role of women journalists in the exercise of freedom of expression and access to information, and gender stereotypes.

Legal and medical support

78. All journalists, including women journalists, that have experienced violence, threats or intimidation should have access to a comprehensive system of legal and medical, including psychosocial, assistance that is capable of addressing the particular needs of both men and women. Moreover, women journalists could be encouraged to establish peer groups that function as safe spaces in which women journalists can find support and information.

Empowering women to protect themselves

79. Media houses and civil society can play an important role in advising and facilitating women journalists to take measures that can increase their security. Measures such as taking necessary logistical preparations to ensure security and ensuring situational awareness can help reduce risk.[68] Although currently limited, there may also be steps women journalists can take in the online environment, such as asserting greater user control through blocking and reporting Twitter accounts of those who are engaging in harassing or intimidating behaviour, and sharing the blocked list with others. Considerably more research and analysis is needed in this area.

VI. Conclusions and recommendations

80. **Relevant actors, at the international, regional and national levels, have begun to address the issue of safety of women journalists and there is wide scope for much more to be done. The General Assembly has underlined the importance of taking a gender-sensitive approach when considering measures to address the safety of journalists. Adopting such an approach will, critically, enable these existing efforts to be built on in a way that ensures that the experiences and concerns of women journalists are effectively addressed.**

81. **In section V of the present report, measures are suggested to inform a gender-sensitive approach to the issue of the safety of women journalists that is located in the broader context of gender-based discrimination and inequality. Among other important matters, these measures draw attention to the urgent need for systematic monitoring of violations against journalists; the collection of concrete data that are disaggregated by, among other factors, gender, and their analysis; the need for clear political will to address the issue; legislative and policy development and implementation; and accountability.**

[68] A series of measures are set out in detail in *Violence and Harassment against Women in the News Media*, pp. 32-37, and in "Women working in war zones".

82. **States are strongly encouraged to consider these measures when taking a gender-sensitive approach in all future initiatives that are developed to address the issue of safety of journalists and to review existing initiatives taking into account these measures.**

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Item 71 (a) of the provisional agenda*
Elimination of racism, racial discrimination, xenophobia and related intolerance: elimination of racism, racial discrimination, xenophobia and related intolerance

Contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mutuma Ruteere, prepared pursuant to General Assembly resolution 71/179.

* A/72/150.

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Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Summary

The present report is submitted pursuant to General Assembly resolution 71/179 on combating glorification of Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance, in which the Assembly requested the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to prepare a report on the implementation of the resolution, on the basis of views collected from Governments and non-governmental organizations, for submission to the Assembly at its seventy-second session.

The Special Rapporteur has provided a summary of the contributions received from 10 States on the implementation of resolution 71/179, as well as of the contributions from non-governmental and other organizations containing their views on the subject. The Special Rapporteur then sets out his conclusions and recommendations.

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I. Introduction

1. The present report is submitted to the General Assembly pursuant to Assembly resolution 71/179 on combating glorification of Nazism, neo-Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance, in which the Assembly requested the Special Rapporteur to prepare, for submission to the Assembly at its seventy-second session and to the Human Rights Council at its thirty-fifth session, reports on the implementation of that resolution, based on the views of Governments and non-governmental organizations.

2. The General Assembly specifically expressed deep concern about the glorification, in any form, of the Nazi movement, neo-Nazism and former members of the Waffen SS organization, including by erecting monuments and memorials and holding public demonstrations glorifying the Nazi past, the Nazi movement and neo-Nazism, as well as by declaring or attempting to declare such members and those who fought against the anti-Hitler coalition and collaborated with the Nazi movement participants in national liberation movements.

3. The General Assembly emphasized once again the recommendation of the Special Rapporteur that any commemorative celebration of the Nazi regime, its allies and related organizations, whether official or unofficial, should be prohibited by States (see A/71/325, para. 68), and also emphasized that such manifestations do injustice to the memory of the countless victims of the Second World War and negatively influence children and young people. In that regard, the Special Rapporteur stresses the importance for States to take measures in accordance with international human rights law to counteract any celebration of the Nazi SS organization and all its integral parts, including the Waffen SS. Failure by Member States to effectively address such practices is incompatible with their obligations under the Charter of the United Nations.

4. Also in resolution 71/179, the General Assembly expressed concern about recurring attempts to desecrate or demolish monuments erected in remembrance of those who fought Nazism during the Second World War, as well as to unlawfully exhume or remove the remains of such persons, and in that regard urged Member States to fully comply with their relevant obligations, inter alia, under article 34 of the protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts.

5. In addition, the General Assembly noted with concern the increase in the number of racist incidents worldwide, including the rise of skinhead groups, which have been responsible for many of those incidents, as well as the resurgence of racist and xenophobic violence targeting, inter alia, persons belonging to national or ethnic, religious and linguistic or other minority groups, including arson attacks on houses and vandalizing of schools and places of worship.

6. The General Assembly reaffirmed that such acts might be qualified as falling within the scope of the Convention, that they might not be justified when they fall outside the scope of the rights to freedom of peaceful assembly and of association, as well as the right to freedom of expression, and that they might fall within the scope of article 20 of the International Covenant on Civil and Political Rights and might be subject to certain restrictions, as set out in articles 19, 21 and 22 of the Covenant.

7. In the same resolution, the General Assembly expressed deep concern about attempts at commercial advertising aimed at exploiting the suffering of the victims of war crimes and crimes against humanity committed during the Second World War by the Nazi regime. It stressed that the practices described in the resolution did

injustice to the memory of the countless victims of crimes against humanity committed in the Second World War, in particular those committed by the SS organization and by those who fought against the anti-Hitler coalition and collaborated with the Nazi movement, and might negatively influence children and young people. The Special Rapporteur echoes the view of the Assembly that failure by States to effectively address such practices is incompatible with the obligations of States Members of the United Nations under its Charter, including those relating to the purposes and principles of the Organization.

8. The General Assembly also recalled the recommendation of the Special Rapporteur presented at the sixty-fourth session of the Assembly, in which he emphasized the importance of history classes in teaching the dramatic events and human suffering that arose out of the adoption of ideologies such as Nazism and Fascism (A/64/295, para. 104). The Special Rapporteur again stresses the importance of other positive measures and initiatives aimed at bringing communities together and providing them with space for genuine dialogue, such as round tables, working groups and seminars, including training seminars for State agents and media professionals, as well as awareness-raising activities, especially those initiated by civil society representatives, which requires continued State support.

9. In accordance with the practice established in his previous reports, the Special Rapporteur summarizes in the present report the information received on relevant activities undertaken by Member States in the implementation of resolution 71/179. In a letter dated 14 March 2017 addressed to Member States, as well as to non-governmental organizations, the Special Rapporteur requested information on the implementation of the resolution. As at 10 July 2017, replies had been received from Colombia, El Salvador, Guatemala, Italy, Kazakhstan, Romania, the Russian Federation, Saudi Arabia, Serbia and Venezuela (Bolivarian Republic of). The Special Rapporteur wishes to thank all those who contributed to the present report and regrets that he was not able to consider submissions received after that date.

10. The original submissions received by the Special Rapporteur are on file with the Secretariat and are available for consultation.

II. Contributions received from Member States

A. Colombia

11. The Government of Colombia has informed the Special Rapporteur that it considers itself to be a multi-ethnic State and reaffirms the diverse racial and ethnic origins of its citizens and their valuable contributions to the nation. The Government condemns all forms of discrimination "that do not respect a people's national identity". Article 13 of the Political Constitution of 1991 provides that all persons are born free and equal before the law and should be given equal protection and treatment by the authorities.

12. The Government has adopted strategic guidelines for public policy to create conditions for equal opportunities and comprehensive social development. It also promotes affirmative action programmes and takes into account the exclusionary and discriminatory social practices that have historically affected minority populations. The national development plan for the period 2014-2018 includes specific actions for the various regions and their populations, including actions aimed at particular ethnic groups. The plan provides for an intersectoral commission to prepare a national plan for the International Decade for People of African Descent, including a celebration of Afro-Colombian heritage. The Government is also implementing a national strategy for

a human rights culture, which aims at implementing measures for changing behaviour that are contrary to the principles of human rights.

13. The Government has also informed the Special Rapporteur that the Ministry of the Interior implemented a "More equality and less discrimination" campaign, which aimed at tackling indifference and ignorance with regard to the right to equality and non-discrimination. The campaign included awareness-raising tools, such as pocket-sized brochures, radio and television spots and the dissemination of messages in the public transport system and through social networks, reaching more than 1 million people in the country's main cities. The Government also developed and implemented a national campaign entitled "Hour against racism" to celebrate the Afro-Colombian identity. The event is observed on 21 May and involves public institutions, the private sector and civil society.

14. The Government has developed an online course entitled "Afro-Colombia: recognition, justice and development", designed for civil society, public officials and members of the armed forces. The course covers the history of people of African descent throughout the world and their contributions to the building of the nation of Colombia. Efforts are also under way to enhance the capacity of public officials at the national and local levels to undertake affirmative action programmes to combat racism and promote respect for the rights of members of the black, Afro-Colombian, Raizal and Palenquero populations. By the end of 2017, those efforts will have reached at least 1,000 officials.

15. Provisions against racial discrimination are provided for in the Criminal Code. Under Act No. 1482 of 2011, discrimination on the grounds of race, nationality, gender, sexual orientation or disability is criminalized. Infractions are punishable by 12 to 36 months imprisonment. Harassment is also considered an offense. Legislators in Colombia are currently drafting a bill requiring the provision of equal opportunities for the Afro-Colombian population, recognizing the right of the black and Afro-Colombian communities to ethnic identity and ensuring affirmative actions to guarantee the principle of equality for members of those groups.

16. The Government recalls that the Observatory on Racial Discrimination is a mechanism for monitoring and following up on discriminatory and racist acts in order to produce input for public policy, and notes that the Ministry of the Interior and the Office of the Presidential Adviser for Human Rights are part of the Ibero-American Network of Agencies and Organizations against Discrimination.

B. El Salvador

17. The Government has informed the Special Rapporteur that, following the appropriate consultations, the Directorate General for Comprehensive Social Development has indicated that it has no information to provide in connection with the resolution, given that in El Salvador there is no glorification of Nazism or of any of the organizations relating to it, and Nazi atrocities are denounced in teaching materials for history classes.

C. Guatemala

18. The Government of Guatemala has informed the Special Rapporteur that Guatemala is a multicultural, multilingual and multi-ethnic country. According to data, 41 per cent of the population identifies as being members of indigenous groups, including the officially recognized Mayan, Garifuna and Xinka groups. A total of 51 per cent of the indigenous population are women. The Government

stressed that indigenous women are particularly vulnerable to poverty, extreme poverty, discrimination, invisibility and exploitation.

19. The Government recognizes that historical racism is a deeply rooted phenomenon in Guatemalan society. In order to address the phenomenon, the development of the indigenous peoples of the country is required. In that regard, the Government refers to the study entitled "Diagnostic of racism in Guatemala", conducted in 2006, in which the conclusion was drawn that structural racism particularly affected indigenous persons.

20. Although the Government has no specific information to report on the situation of glorification of Nazism or neo-Nazism in the country, it refers to a number of measures implemented in order to combat racism and racial discrimination.

21. The Government has outlined the numerous institutions that play a role in the promotion of the rights of indigenous peoples, indigenous women and persons with disabilities. It referred to the policies currently being implemented, in particular the public policy for coexistence and the elimination of racism and racial discrimination; the national policy for the promotion of the integral development of women; the agenda for Mayan, Garifuna and Xinka women, and the national policy for persons with disabilities.

22. The Government noted that it has amended its criminal legislation and introduced as offences acts of discrimination, including discrimination on the basis of gender, ethnicity, race and disability status. The Government also referred to the actions implemented on the margins of the International Decade for People of African Descent.

D. Italy

23. The Government has reported that it accepted 176 of the 186 recommendations that were made in the context of the second cycle of the universal periodic review process of the Human Rights Council and has taken note of the remaining 10. The Government underlined the fact that all recommendations concerning the principle of non-discrimination had been accepted and that Italy was "strongly committed" to their "full implementation at the national and local levels".

24. The Government indicated that, as part of that commitment, the country's legislative framework had evolved. It has reported that offences such as defamation and menace now constitute aggravating circumstances, if deemed to be discriminatory or based on ethnic, national, racial or religious hatred. The Government highlighted that this means that the offender would face ex officio prosecution, a higher sanction and the nullification of applicable mitigating circumstances. On 16 June 2016, Italy amended article 3 of Act No. 654/1975, in compliance with articles 6, 7 and 8 of the Rome Statute of the International Criminal Court to include definitions of international crimes and the prohibition of denials of the Holocaust. Article 112 of the Constitution provides that public prosecutors are obliged to investigate any alleged discriminatory motive associated with a crime regardless of the findings of the police report. The Government has specified that, under articles 516-518 of the Code of Criminal Procedure, the court can admit additional evidence, should new elements emerge. In Italy, victims of discrimination may thus resort to criminal procedures, administrative court procedures and civil procedures.

25. The Government also made reference to the actions it had undertaken to address discrimination. The Observatory for Security against Discriminatory Acts

monitors criminal offences, such as racial hate or incitement to racist violence. The National Office against Racial Discrimination records, through its Contact Centre, instances of discriminatory behaviour, racial stereotypes and bias in the media and on the Internet. The National Observatory against Discrimination in the media and the Internet, created in January 2016, focuses its work on reporting hate speech posted online and also aims at analysing, learning about and understanding the issue. Thousands of online posts are analysed on a daily basis, and a substantial portion of the posts are catalogued and included in thematic reports. A smaller proportion of other posts, that are not included but still considered to be of a strongly discriminatory nature, are reported to social networks for removal or to law enforcement for investigation and prosecution.

F. Kazakhstan

26. The Government has informed the Special Rapporteur of its policy for strengthening national unity, which complies with the fundamental principles of resolution 71/179. Under the Constitution, all citizens of the country are equal and have the right to participate in State affairs, regardless of their ethnic origin, either through representative bodies or directly.

27. The Government has indicated that, under article 19 of the Constitution, citizens have the right to declare their ethnic identity or not, therefore, representatives of ethnic groups, which all have a high civil and social status, are considered to possess the full range of rights granted to the united people of Kazakhstan. The Ministry of Culture and Sports is also improving its activities in order to better promote national unity, in line with the decree to strengthen Kazakh identity, of 2015.

28. The Government has referred to the Assembly of the People of Kazakhstan, whose status is set out in the Constitution and whose members are elected according to the Act on the Assembly of the People and the newly adopted Act of the Republic of Kazakhstan. There are more than 900 ethnic and cultural associations in the country, which come together with regional organizations in the provincial assemblies. Members of the Assembly of the People are nominated in the provincial assemblies upon the recommendation of those associations. The Assembly selects nine of its members by rotation, in order to avoid competition among ethnic groups and sends them to the lower house of parliament. At its annual sessions, the Assembly considers issues relating to ethnic groups in order to formulate instructions for the Government.

29. The Government has reported that, in 2016, the President launched an annual Day of Gratitude, to celebrate the shared history and the unity of the Kazakh people.

I. Romania

30. The Government has reiterated its commitment to fighting discrimination and explained that, under the Criminal Code, discrimination constitutes an aggravating circumstance, notably in instances of torture or limitations of the rights of a person perpetrated by a public servant when on duty. The Criminal Code also defines incitement to hatred, genocide and crime against humanity as discriminatory acts, in articles 369, 438 and 439 thereof.

31. The Government reported that organizations, symbols and deeds with fascist, racist, legionary and xenophobic character and the glorification of those found guilty of genocide, crimes against humanity and war crimes are prohibited under

government emergency ordinance No. 31/2002. Such deeds include denying, contesting, approving, justifying or minimizing in an obvious manner, through any means, in public, the Holocaust or its effects. The Government has also noted how data on discrimination has been collected at the court level since 3 April 2015.

32. The Government noted the efforts undertaken to address hate crimes, including in training programmes for magistrates. It has underlined that training for future judges and prosecutors at the National Institute of Magistracy includes classes focused on instruments of European human rights law and on the provisions of Council of the European Union framework decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law. Practical seminars on handling hate crimes are also organized, as well as conferences with specialists from the Romanian National Council for Combating Discrimination. The Government highlighted that the Institute collaborated with the Superior Council of Magistracy in implementing a project aimed at improving access to justice for Roma citizens and members of other vulnerable groups, using data collection, centres for primary legal assistance, and awareness-raising and training of judges. Between 2014 and 2016, the Institute and the Superior Council collaborated on improving national anti-discrimination measures, with the assistance of legal professionals and civil society organizations. In 2016, two seminars on the fight against discrimination and the promotion of persons guilty of crimes against humanity and peace took place in Romania.

33. The Government highlighted the judgment rendered by the European Court of Human Rights in the case concerning *M. and C. vs. Romania*, in which the Court decided that the European Convention of Human Rights and Fundamental Freedoms had been violated when Romania had failed to properly investigate a hate crime incident. The judgment was discussed in a seminar in 2016, as well as in two other seminars on European Union law organized that same year.

34. The Government informed the Special Rapporteur about the inclusion of anti-discrimination items in primary, secondary, and upper-secondary school curricular and extra-curricular activities. The Government reported that it had cooperated with international organizations in the field of education and had trained the police extensively on combating discrimination against minority groups. A unit to investigate hate crimes was established within the police. The Government has taken measures to better respect the dignity and fundamental rights of migrants, in accordance with national and European migration regulations, especially with regard to return procedures.

G. Russian Federation

35. The Government has informed the Special Rapporteur that the Russian Federation pursues a consistent policy of cultivating the systematic prevention of attempts to glorify Nazism or promote Nazi ideology or other ideas or theories of racial, ethnic, religious or social supremacy or that seek to justify or that encourage racial hatred or discrimination in any form, and it is consequently taking steps to eliminate any incitement to such discrimination. It complies strictly with its obligations to take all measures necessary to prevent Nazi and neo-Nazi organizations and movements from being formed or carrying on activities within its territory.

36. Under Act No. 114-FZ, the definition of extremist activity covers incitement to social, racial, ethnic or religious hatred; advocating exclusiveness or the superiority or inferiority of individuals on the grounds of belonging to a social, racial, ethnic, religious or linguistic group or on the grounds of their religious views; violating the rights, freedoms or legal interests of an individual or citizen based on membership

of a social, racial, ethnic, religious or linguistic group or on religious views; publicizing or publicly displaying Nazi paraphernalia or symbols, or paraphernalia or symbols that bear a confusing resemblance thereto, or publicly displaying paraphernalia or symbols of extremist organizations, as well as related acts. Such offences and crimes are classified in the law as administrative or criminal offences, depending on the degree of danger to the public.

37. The publication of materials advocating such activities or lending credibility to or justifying the need for such activities, including works by the leaders of the National Socialist German Workers' Party or the Fascist Party of Italy, is prohibited by law. It is also forbidden to use Nazi symbols in any form to insult the memory of the victims of the Great Patriotic War or to publicize or publicly display the paraphernalia or symbols of organizations that collaborated with groups, organizations, movements or individuals recognized as criminals or found guilty of committing crimes in judgments of the International Military Tribunal for the prosecution and punishment of the major war criminals of the European Axis (Nuremberg Tribunal).

38. The Government has informed the Special Rapporteur that its legislation contains provisions making it an offence (administrative or criminal, depending on the degree of danger to the public) to disseminate information about days of military glory, or other notable dates for the Russian Federation relating to the defence of the motherland, that expresses clear disrespect for society, or to desecrate symbols of the country's military glory in public. Under the Criminal Code, it is also an offence to destroy or damage cultural heritage sites (historical and cultural monuments) of the peoples of the Russian Federation that are included in the unified State register of such sites or recognized as cultural heritage sites.

39. The authorities are devoting serious attention to investigating and prosecuting those responsible for inciting hatred or enmity on racial, ethnic or religious grounds. In 2016, the law enforcement agencies of the Russian Federation identified 1,450 crimes involving Nazism; investigations were completed in 1,207 cases, and 933 criminal cases were sent to trial. In the criminal investigations that were completed, 934 individuals were identified as having committed crimes. In the first quarter of 2017, law enforcement agencies identified 421 such crimes, and 211 individuals responsible for committing them, in the 267 criminal cases that were sent to trial.

40. Work has continued on curtailing the activities of radical organizations that focus their activities on inciting racial hatred and promoting neo-Nazi ideology. In recent years, there has been an increase in the number of such crimes planned or carried out using the Internet. In 2016, such offences accounted for 63.2 per cent (526 of 831) of the total number of crimes covered by Act No. 114-FZ.

41. The Government has stressed that the competent authorities are also working to identify and block published information containing calls to carry out activities intended to promote racial, ethnic or religious hatred or propaganda or ideas of exclusivity or of the inferiority of individuals on any of those grounds. From February 2014 to April 2017, the authorities identified around 42,000 Internet sites containing material promoting ideas of racial intolerance, xenophobia and neo-Nazism. Monitoring of the mass media and websites to identify materials relating to Nazi or nationalist crimes that are being planned or have been committed and of the activities of radical groups is carried out by the Ministry of Internal Affairs, in cooperation with civil society organizations.

42. The authorities have also taken steps to combat prejudice that leads to racial discrimination and to increase mutual understanding, tolerance and friendship among nations and ethnic and religious groups. In that regard, multi-ethnic organizations and movements are encouraged, as are measures intended to break down race barriers and

create the conditions for intercultural dialogue. In order to develop inter-ethnic understanding and tolerance in all State and municipal general education establishments (at the primary school level) a comprehensive course of study on the foundations of religious cultures and secular ethics has been introduced into the curriculum. According to data from the Ministry of Education and Science, 1,435,318 pupils in the fourth grade studied the subject in the 2016/17 academic year.

43. Great efforts are made to preserve the memory of victims of the Holocaust and others who suffered under Nazism. The Ministry of Education and Science included 27 January, International Holocaust Remembrance Day, on the list of important events and recommended that appropriate activities be organized in the country's educational establishments.

44. Significant attention is being paid to preventing the spread of radicalism among young people. The Ministry of Education and Science coordinates activities among higher education establishments to organize cultural, educational and teaching events. Seminars were held in all constituent entities of the Russian Federation to discuss and exchange best practices on the work of civil society youth associations at higher education establishments in the area of taking steps to prevent radicalization among young people. Methods are also being developed to rehabilitate minors who have fallen under the influence of Nazi ideology, aggressive nationalism and extremism.

45. The Government has stressed that great attention is being paid to preserving the historical memory of the Great Patriotic War and the Second World War and preventing attempts to falsify history. Under Federal Act No. 80-FZ of 19 May 1995 on Perpetuating the Victory of the Soviet People in the Great Patriotic War, 1941-1945, the federal executive authorities, the executive authorities of the constituent entities of the Russian Federation and local authorities are responsible for conserving monuments to the Great Patriotic War and maintaining them in a condition befitting the dignity and respect due to the memory of the victory of the Soviet people in the Great Patriotic War.

46. Activities devoted to marking days of military glory and the important dates and heroic events of the Great Patriotic War, such as themed classes, visits to museums on war and military glory and local history museums, historical quizzes and literary contests, have been added to the curricula for educational establishments, and various measures have been taken in collaboration with city and district associations for war veterans, labour veterans and veterans of the armed forces and law enforcement agencies, along with other civil society organizations.

47. Furthermore, many activities to preserve historical memory were undertaken in the Russian Federation to mark the seventieth anniversary of the trials of the International Military Tribunal at Nuremberg. In order to disseminate information on the role of the prosecution services of the Union of Soviet Socialist Republics in the Nuremberg trials, articles and historical materials on the conduct and outcomes of the trials were published. A special Russian Federation-wide contest for student papers was held to coincide with the seventieth anniversary of the trials of the Nuremberg Tribunal.

48. In addition, many thematic events were held in the constituent entities of the Russian Federation.

H. Saudi Arabia

49. The Government has informed the Special Rapporteur that there are no Nazi groups or fanatics in Saudi Arabia. Nazism is not celebrated, nor have any

monuments been erected to it. There are no political parties associated with fanatical Nazi groups. The Government has informed the Special Rapporteur that religious fanaticism does not exist in Saudi Arabia in any form, nor is any minority made to suffer from harassment. Such behaviour constitutes a criminal act under Saudi law.

50. The Government provided information regarding national legislation on combating racial discrimination and its application, and the application of the International Convention on the Elimination of All Forms of Racial Discrimination and the recommendations of the Committee on the Elimination of Racial Discrimination, the Durban Declaration and Programme of Action and the right to freedom of peaceful assembly and of association and the right to freedom of expression. In that regard, the Government has stressed that Islamic sharia prohibits ethnic profiling and discrimination on the grounds of skin colour, race or similar characteristics. The Government has also indicated that Saudi law is compliant with article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination in that it prohibits organizations, ideas, propaganda activities and media outlets that promote racial discrimination.

51. The Government provided information regarding minority groups, migrants, asylum seekers and people of African descent, as well efforts made in education and awareness-raising on human rights, sports and racism and hate speech on the Internet and social media.

I. Serbia

52. The Government has informed the Special Rapporteur that it prohibits all forms of discrimination, direct or indirect, and has developed a strategy for prevention and protection against discrimination for the period 2013-2018, the first comprehensive, strategic national strategy dedicated to fighting discrimination. The Government has established legislation that specifically prohibits discrimination and implements international human rights standards.

53. The Government has highlighted that it condemns without reservation any denial or attempted denial of the Holocaust and that it is taking measures to prevent the denial of the crimes against humanity and war crimes committed during the Second World War. The Government has explicitly criminalized the activities and symbols of neo-Nazi and fascist organizations. In Serbia, the Holocaust is commemorated through various events, including a national ceremony in memory of the victims of the Kragujevac massacre and the International Day of Remembrance of the Roma Victims of the Second World War.

54. The Government has stressed that it has been addressing the issue of discrimination against the Roma population. It has developed a strategy for the social inclusion of Roma in Serbia by 2025 and has formed a coordinating body to monitor its implementation. Progress has been made, and more Roma children and adults are receiving services such as personal identity documents and improved health care. Education of Roma students is encouraged through affirmative action programmes and pedagogical assistance from local governments. All members of national minority groups in Serbia are offered three modes of primary and secondary education, namely education in their mother tongue, bilingual education in their mother tongue and the Serbian language, and education in the Serbian language, with optional subjects in their mother tongue with elements of national culture.

55. The Government highlighted programmes relating to education for democratic citizenship that were first introduced in the 2001/02 school year in the form of a compulsory elective course in civic education. In the education system of Serbia, history classes place special emphasis on the understanding of historical and

contemporary changes and on building democratic values that include respect for human rights, development of intercultural dialogue and cooperation, understanding of diverse cultural and historical heritage and tolerance of different opinions and world views. Teachers in Serbia are specifically trained to address such issues as the Holocaust, fascism and war crimes.

56. The Government reported that the number of inter-ethnic incidents was 26.4 per cent lower in 2016 compared with 2015. In 2016, there were three recorded cases of damage to monuments in remembrance of the victims of the Second World War, and there were no reported activities of neo-Nazi and fascist organizations. The Government has also noted that the national police has encouraged greater participation from minority and vulnerable groups in identifying and resolving safety issues and hate crimes.

57. The Government has informed the Special Rapporteur that there are approximately 30,000 refugees and 203,000 internally displaced persons residing in Serbia, and more than 1 million immigrants and refugees from war-affected areas who have passed through the territory of Serbia without incident. The Government noted that it has supported migrants both financially and through policy programmes and that, in the past year, no physical attacks or racist speech towards migrants has been reported. In addition, the Government has reaffirmed its dedication to fighting human trafficking and reported that it has brought more than 2,000 charges for human trafficking and smuggling within its territory.

J. Venezuela (Bolivarian Republic of)

58. The Government has informed the Special Rapporteur about its legislative framework to combat racial discrimination, and indicated that the National Institute against Racial Discrimination leads the implementation of the policy against racism and discrimination, basing its actions on a number of different axes, namely integral prevention and coexistence in solidarity; a national system of attention to victims of discrimination; knowledge creation and socialization for the coexistence and security of citizens and strengthening policy for the control of firearms and ammunition and disarmament in the national territory. The Government also mentioned several of the actions and events implemented during 2016 by the National Institute.

III. Contributions received from non-governmental and other organizations

A. Coordination intercommunautaire contre l'antisémitisme et la diffamation

59. The organization has informed the Special Rapporteur about the situation of anti-Semitism among the French-speaking population in Switzerland. Even though Switzerland is spared for the most part from the violent acts perpetrated against Jews, compared with other European countries, the number of anti-Semitic acts recorded among the French-speaking population in Switzerland remains at a high level.

60. Whereas the greatest threat to Jewish communities in Europe is currently the anti-Semitic violence of jihadi terrorism, other sources of anti-Semitism are of major concern, in particular extreme right-wing groups, whose activities have grown and are associated with the rise in populism and the trivialization of extremism in Europe. Switzerland is not spared by that phenomenon. The wave of xenophobia and the rejection of immigration, as well as obsessive anti-Semitism,

remains a driving force for those movements. It should be noted that the extreme right groups in Switzerland benefit directly from the shortcomings of criminal law. The organization has stressed that Swiss law permits, with impunity, the existence of racist parties, the dissemination and sale of Nazi artefacts and the organization of neo-Nazi rallies and concerts.

61. The mobilization of Coordination intercommunautaire contre l'antisémitisme et la diffamation to defend the rights of victims of anti-Semitism has inherent limitations. It is difficult to combat the neo-Nazi, extremist, right-wing movements in Switzerland. The anti-racism norm in federal legislation does not allow the association to intervene in legal proceedings and it is regrettable that the Federal Council refused, in 2010, to add a penal norm to prohibit the wearing of Nazi and racist signs, as the organization wished. The organization stressed that it is imperative that the federal, cantonal and municipal authorities understand the importance of the issue. To date, the confederation has not yet developed a national strategy for the protection of religious communities.

62. With regard to the denial of the Holocaust, the organization has reported that a disturbing number of articles and remarks have been broadcasted in French-language media in Switzerland in 2016; 20 per cent of those recorded deny the facts, scope, mechanisms or intention of the genocide of the Jewish people by Nazi Germany. They are regularly published on the Internet, notably on blogs and websites, but also in so-called "independent periodicals". In the galaxy of negation in French-speaking areas of Switzerland in 2016, there remained several actors, known and active for decades, who have been previously condemned for their anti-Semitic and denialist remarks.

B. Dostoevsky Institute

63. The Dostoevsky Institute in Athens informed the Special Rapporteur about the rise of xenophobic and racist phenomena in Greece in 2016, with a total of 95 reported incidents of racist violence, involving more than 130 victims. According to the Institute, 31 of the 95 incidents were targeted at migrants or refugees, owing to their national or ethnic origin, religion or skin colour. An additional incident was targeted at the staff of humanitarian organizations in a care centre for refugees, and another at a journalist covering the refugee crisis, according to the Institute. The Institute indicated that an appeals court of first instance in Piraeus had upheld a decision of November 2016, in which four men had been found guilty of abducting, robbing and causing serious injuries to an Egyptian migrant in 2012.

64. The Institute also provided an account of xenophobic attacks perpetrated by Greek extremist groups. The Institute indicated that, in July 2016, a squat in Athens in which refugees had been sheltering was intentionally set alight by members of a far-right group, who had not been identified as at December 2016. The Institute has noted that far-right activists have been suspected of having attacked refugees in the Souda camp on Chios Island, injuring at least two of them, and a criminal investigation into the incident has been launched. The trial of leaders and members of the far-right neo-Nazi political party Golden Dawn who had been charged for the founding of a criminal organization and the murder of Pavlos Fyssas in 2013 was ongoing, as at December 2016.

65. The Institute has noted that there have been xenophobic incidents following a legislative provision adopted by the Greek parliament in August 2016, which had created special classes for about 580 children who were refugees, migrants and asylum seekers in Athens and Thessaloniki. It was reported that, in the Greek municipalities of

Oreokastro and Lesvos, some parents had refused to accept that their children should attend the same school as the beneficiaries of the legislative provision.

66. The Institute also made reference to xenophobic violence perpetrated by the police, such as the report that five Syrian teenagers had been stopped by police on 27 September 2016 in Central Athens and subsequently beaten and forced to strip naked during their detention at Omonoia police station. Another report indicated that three Roma men had also been beaten by police officers during their arrest and detention at a police station in western Athens in October 2016, and one of them had suffered a heart attack and been hospitalized.

67. The Institute has indicated that it was of the view that the rise in xenophobia in Greece is a result of the unprecedented economic and social crisis that the country has been facing.

C. Legal Information Centre for Human Rights (Estonia)

68. The Legal Information Centre for Human Rights has informed the Special Rapporteur about a case of glorification of Nazism at an annual gathering honouring the veterans of the Estonian legion of the Waffen SS. Although the Centre found the meeting to be less crowded and ostentatious than in previous years, the Centre indicated that Nazi paraphernalia have been displayed and that chaplains of the defence forces of Estonia have laid wreaths at both the memorial for deceased SS soldiers and the memorial for Red Army fighters. According to the Centre, the leader of the conservative party Pro Patria Res Publica Union, Margus Tsahkna, sent a message of greeting to the SS veterans.

69. The Legal Information Centre for Human Rights also indicated that anti-fascist activists from Finland and Latvia had been banned from entering Estonia to participate in a protest against the glorification of SS veterans. The Centre also indicated that Estonian police stopped the car of two Estonian nationals who had planned to denounce the decimation of the Roma community during the Second World War at the annual gathering honouring the veterans of the Estonian legion of the Waffen SS.

70. The Legal Information Centre for Human Rights commented on the funeral of former SS sergeant Harald Nugiseks, who died in 2014 and whose coffin was reported to have been carried at the funeral by soldiers of the Estonian army. The Centre noted that, in 2016, a bust of Mr. Nugiseks had been erected in his former school and that the current school director had claimed that the statue would encourage pupils to be patriotic.

D. International Federation for Human Rights — Latvian Human Rights Committee

71. The Latvian Human Rights Committee of the International Federation for Human Rights drew the Special Rapporteur's attention to the increasing number of events honouring Nazi collaborators, including a march that took place on 16 March 2017 in Riga honouring veterans of the Latvian legion of the Waffen SS, which drew more than 2,000 participants, including members of parliament from the co-ruling National Alliance party. Peaceful counter-protesters of the march, including members of the Latvian Anti-Nazi Committee, were ordered by the Riga city authorities to move away from the march. Five peaceful protesters were arrested by the police at the marches. The proceedings regarding the restrictions imposed by the city of Riga remained pending before the Supreme Court of Latvia, at the time of reporting. The Human Rights Committee also noted that the chair of

the parliament had taken part in another memorial on 16 March that honoured Latvian soldiers who collaborated with Nazi forces.

72. The Latvian Human Rights Committee recalled that events and memorials for anti-Nazi fighters were facing increased pressure in Latvia. In August 2016, a monument in the town of Limbazi to Soviet navy soldiers who had perished in 1941 was destroyed, on the initiative of Daugavas vanagi Latvija, a local non-governmental organization and the agreement of the municipality. In the annual report of the security police for 2016, issued in April 2017, reference was made to the unofficial celebrations of the Day of Victory over Nazi Germany as being threats to national security and promoting "Russia-created historical memory".

73. The Latvian Human Rights Committee stressed the importance of the strong condemnation of any form of discourse honouring collaboration with Nazi Germany or smearing those who fought against Nazism. The Committee suggested that government ministers and coalition members of parliament should refrain from participating in events honouring Nazi collaborators and that they not hinder anti-fascist and anti-Nazi protests. In conclusion, the Committee stressed that the Government of Latvia should be vigorous and consistent in prosecuting cases of hate speech while continuing to respect the freedom of speech.

E. Tsedaka Foundation

74. The Tsedaka Foundation, also known as the Foundation of the Holocaust Survivors, has informed the Special Rapporteur that there has been an increase in the level of xenophobia, anti-Semitism and other manifestations of intolerance in Bulgaria. Particularly worrying was the revival of Nazi ideas, together with the glorification of fascism and its symbols in the country. The Foundation referred to the so-called "Lukov march", a procession of young men dressed in black and carrying torches, in memory of General Lukov, leader of the Union of Bulgarian National Legions, an extreme nationalist, fascist and anti-Semitic organization active in the 1930s and 1940s. The "Lukov march" continues to take place, despite the fact that the Mayor of Sofia has denied the group permission to do so.

75. The Tsedaka Foundation has stressed that the glorification of Nazism and Fascism is a complex phenomenon that also relates to the current situation of uncertainty, given that, for many disillusioned young men, fascist and neo-Nazi ideas appear to provide an alternative to the current instability and a way to oppose the growing migration flows affecting the European continent and protect national values and national identity. For the Foundation, however, such perceptions are exceptionally dangerous, threatening the foundations of the otherwise traditionally tolerant Bulgarian community.

76. The Tsedaka Foundation indicated that efforts were being made to glorify politicians from the period when Bulgaria had been an ally of Nazi Germany and to present their actions as "patriotic" and as "defending national interests". The Foundation has also observed that efforts have been made to idealize the situation of the Jews in Bulgaria during the time of the anti-Semitic laws and to belittle their suffering, as well as to minimize the role of the pro-Nazi Bulgarian Government in the deportation of Jews from northern Greece and south Yugoslavia in 1943. Those were attempts to distort the past and to rewrite history, with no adequate reactions from the part of the Bulgarian authorities.

IV. Conclusions and recommendations

77. The Special Rapporteur is grateful to all States and other organizations for the information provided on the measures implemented pursuant to General Assembly resolution 71/179. He also appreciates the contributions received from civil society actors. He recalls the importance of full cooperation with his mandate, which was extended most recently by Human Rights Council resolution 34/35.

78. The Special Rapporteur notes that some submissions referred to the phenomena identified in resolution 71/179 and to the proliferation of extreme right-wing groups. Some referred specifically to a rise of anti-Semitic acts and rhetoric, which is of great concern. Others stressed that no such phenomena existed within their borders. The Special Rapporteur wishes to reiterate that the human rights and democratic challenges posed by extremist political parties, including populist movements and groups, are universal and no country is immune to them. He calls upon States and all other stakeholders to increase their vigilance and be proactive in strengthening efforts and political will to recognize and effectively address those challenges.

79. The Special Rapporteur also reiterates that any commemorative celebration of the Nazi regime, its allies and related organizations, whether official or unofficial, should be prohibited and the prohibition enforced effectively. The Special Rapporteur recalls paragraph 15 of resolution 71/179, in which the General Assembly stressed that such manifestations do injustice to the memory of the countless victims of crimes against humanity committed in the Second World War, in particular those committed by the SS organization and by those who fought against the anti-Hitler coalition and collaborated with the Nazi movement, and may negatively influence children and young people, and that failure by States to effectively address such practices was incompatible with the obligations of States Members of the United Nations under its Charter.

80. In that regard, the Special Rapporteur recalls his condemnation of any manifestation of religious intolerance, incitement, harassment or violence against persons or communities on the basis of ethnic origin or religious belief. Furthermore, the Special Rapporteur remains concerned about the continued scapegoating of vulnerable groups, including migrants, asylum seekers and ethnic minority groups. Such forms of discourse remain powerful tools for politicians whose goal is to mobilize the masses to the detriment of social cohesion and human rights. The continued uncensored and unpunished expressions of supremacist, anti-Semitic and hateful opinions by some political leaders may be an indicator that societies are growing dangerously and increasingly tolerant of hate speech and extremist ideas.

81. The Special Rapporteur recalls recommendations made in several of his previous reports to the Human Rights Council (see A/HRC/23/24, A/HRC/26/50, A/HRC/29/47, A/HRC/32/49 and A/HRC/35/42) and to the General Assembly (see A/68/329, A/69/334, A/70/321 and A/71/325) and wishes to reiterate that those recommendations remain valid in the present context.

A. Political measures

82. The Special Rapporteur calls upon States and all stakeholders to counter extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements. Greater vigilance from all relevant actors is therefore important and requires a

comprehensive approach based on a solid legal framework, complemented by other key measures, including education and awareness-raising programmes, and victim-centred approaches, which should be further developed. Good practices such as those mentioned herein should be exchanged on a regular basis among all actors working in the field.

83. The Special Rapporteur reiterates his call to political leaders and parties to strongly condemn all messages disseminating ideas based on racial superiority or hatred, incitement to racial discrimination or xenophobia. Leaders should be aware of the moral authority that they represent and use it to promote tolerance and respect and refrain from forming coalitions with extremist parties of a racist or xenophobic character, taking into account the need to ensure that political and legal systems reflect the multicultural character of their societies.

B. Legislative measures

84. The Special Rapporteur welcomes the information provided regarding the ratification of a range of instruments, including the International Convention on the Elimination of All Forms of Racial Discrimination, and the inclusion of the Convention in national legal and constitutional frameworks. He urges those States that have not yet done so to ratify the Convention and make the declaration under article 14 thereof, thus providing the Committee on the Elimination of Racial Discrimination with the competence to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by a State party of any of the rights set forth in the Convention.

85. The Special Rapporteur encourages States to adopt the legislation necessary to combat racism, while ensuring that the definition of racial discrimination complies with article 1 of the Convention. He calls for the updating of national anti-racism legislation in the light of the increasingly open expression of hate speech and incitement to violence against vulnerable groups. In that regard, he recalls that any legislative or constitutional measures adopted should be in conformity with the relevant international human rights standards. He also urges States to implement their obligations under article 4 of the Convention and articles 19 to 22 of the International Covenant on Civil and Political Rights.

86. The Special Rapporteur notes with appreciation that several States have prescribed in their criminal codes that racist and xenophobic motivation constitute an aggravating circumstance, attracting heavier sanctions against not only instigators but also followers. While welcoming the information provided regarding measures taken to prevent discrimination against members of minority groups, people of African descent, Roma, migrants, refugees and asylum seekers and to ensure their integration into society, the Special Rapporteur urges States to ensure the full and effective implementation of legal, policy and institutional measures protecting those groups of individuals and recommends that States effectively guarantee to members of those groups, without discrimination of any kind, the rights to security and access to justice, adequate reparation, legal aid and appropriate information about their rights, as well as the prosecution and adequate sanction of those responsible for racist crimes against them, including the right to seek reparation for damages suffered as a result of such crimes.

87. The Special Rapporteur recalls paragraph 13 of the outcome document of the Durban Review Conference (A/CONF.211/8, chap. I), in which the Conference reaffirmed that any advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence should be prohibited by law, as should all dissemination of ideas based on racial superiority, hatred or incitement to racial discrimination as well as all acts of violence or incitement to such acts. In that regard, the Special Rapporteur calls upon all States to respect the commitments made in the Convention and in the Durban Declaration and Programme of Action, which is a comprehensive framework for action against racism, racial discrimination and xenophobia.

C. Education and capacity-building

88. The Special Rapporteur recalls that education remains the most effective means of countering the negative influence that extremist political parties, movements and groups may have on young people. Recalling his thematic report of 2013 (see A/HRC/23/56), he recommends that States recognize the important role of education in combating racism, racial discrimination, xenophobia and related intolerance, especially in promoting the principles of tolerance and respect to ethnic, religious and cultural diversity and preventing the proliferation of extremist racist and xenophobic movements and propaganda. Law enforcement officials and members of the judiciary should also be provided with the capacity to address crimes motivated by racist, xenophobic, anti-Semitic or homophobic biases, through comprehensive and mandatory human rights training, with a specific focus on racist and xenophobic crimes perpetrated by individuals linked to extremist political parties, groups and movements.

D. Internet and social media

89. The Special Rapporteur reiterates his concerns regarding the increased use of the Internet and social media by extremist political parties, movements and groups to promote and disseminate racist content (see A/HRC/26/49). He calls upon States to take all opportunities, including those provided by the Internet, to counter the dissemination of ideas based on racial superiority or hatred and promote the values of equality, non-discrimination, diversity and democracy, while respecting their obligations under articles 19 and 20 of the International Covenant on Civil and Political Rights. States should adopt measures to counter such ideas and biases and strengthen freedom of expression, which plays a crucial role in promoting democracy and combating racist and xenophobic ideologies based on racial superiority.

E. Sports

90. The Special Rapporteur calls upon States to strengthen measures to prevent racist and xenophobic incidents at sporting events. As he indicated in his report to the General Assembly in 2014 (see A/69/340), he further emphasizes the key role of sports in promoting cultural diversity, tolerance and harmony. The Special Rapporteur recommends that States and other relevant stakeholders, such as sports federations, take advantage of such events to promote the values of tolerance and respect. He recalls paragraph 218 of the Durban Declaration and Programme of Action, in which States were urged, in cooperation with intergovernmental organizations, the International Olympic

Committee and international and regional sports federations, to intensify the fight against racism in sport by, among other things, educating young people through sport practised without discrimination of any kind and in the Olympic spirit, which requires human understanding, tolerance, fair play and solidarity.

F. Holocaust denial, anti-Semitism and the distortion of history

91. The Special Rapporteur reiterates his absolute condemnation of any denial or attempt to deny the Holocaust and all manifestations of religious intolerance, incitement, harassment or violence against persons or communities on the basis ethnic origin or religious belief. He reiterates his call for the active preservation of the sites that served as Nazi death camps, concentration and forced labour camps and prisons and urges States to take legislative and educational measures to put an end to Holocaust denial. The Special Rapporteur also recalls the responsibility of political leaders to ensure that anti-Semitic acts and rhetoric are thoroughly investigated and properly punished.

G. Civil society and national human rights institutions

92. The Special Rapporteur recalls the importance of cooperating closely with civil society and international and regional human rights mechanisms to effectively counter extremist political parties, movements and groups, including neo-Nazis, skinhead groups and similar extremist ideological movements (see A/71/325). In particular, the role played by civil society in collecting information, working closely with victims and promoting democratic principles and human rights should be emphasized and the sharing of good practices among all relevant stakeholders should continue. He welcomes coordination between governmental structures and civil society in order to maximize efforts on anti-discrimination policies, and he encourages such efforts.

93. The Special Rapporteur also calls upon national human rights institutions to develop appropriate programmes to promote tolerance of and respect for all and to collect relevant information in that regard. He further calls for national specialized bodies and national action plans for the elimination of racism, racial discrimination, xenophobia and related intolerance and for those bodies to closely monitor the phenomenon of Nazism, neo-Nazism, anti-Semitism and Holocaust denial.

H. Role of the media

94. The Special Rapporteur wishes to stress the positive role played by the media in combating the spread of extremist ideas, in particular in combating stereotypes, promoting a culture of tolerance and playing an integrative role by providing space for ethnic minority groups to also have their voice heard.

I. Statistics and disaggregated data

95. The Special Rapporteur reiterates his recommendations made in previous reports concerning the need to collect disaggregated data and statistics on racist, xenophobic, anti-Semitic and homophobic crimes in order to identify the types of offences committed, the characteristics of the victims and of the perpetrators and whether they are affiliated with an extremist political party,

movement or group (see A/70/335). Such disaggregated data would enhance understanding of the phenomenon and help to identify effective measures to be taken to address such crimes. The Special Rapporteur also recalls that the importance of collecting disaggregated data is a component of target 17.18 of the Sustainable Development Goals, on data, monitoring and accountability.

J. General Assembly resolution

96. In conclusion, the Special Rapporteur acknowledges the importance of keeping the present issue on the international agenda, and he would like to reflect upon the work he has undertaken in fulfilment of his mandate on the subject, pursuant to requests made by the General Assembly in its resolutions. The present report of the Special Rapporteur on combating glorification of Nazism and other practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance is the twelfth such report that he has been requested to present, on a yearly basis, to both the General Assembly and the Human Rights Council, and he has always endeavoured to fulfil his mandate with great commitment and understanding. The Special Rapporteur once again reiterates his call to consider alternative measures for continuing to pay attention to the phenomenon, such as streamlining the reporting mandate into one for a single yearly report to the Assembly, where the request for such a special report originated, which would continue to allow for the collection of views through submissions received in accordance with paragraph 47 of resolution 71/179. He therefore again expresses the hope that the Assembly will consider his suggestions in its deliberations and in any future resolution on the topic.